

Draft Order laid before Senedd Cymru under section 13(7) of the Government of Wales Act 2006, for approval by resolution of Senedd Cymru

DRAFT WELSH STATUTORY
INSTRUMENTS

2025 No. (W.)

CONSTITUTIONAL LAW

DEVOLUTION, WALES

**REPRESENTATION OF THE
PEOPLE**

**The Senedd Cymru (Representation
of the People) Order 2025**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, the Senedd Cymru (Representation of the People) Order 2025 (referred to in these notes as “the Order”), makes provision for the conduct of elections and the return of members to Senedd Cymru (“the Senedd”) as constituted under the Government of Wales Act 2006, as amended by the Senedd Cymru (Members and Elections) Act 2024 (“the 2024 Act”).

The Order replaces the National Assembly for Wales (Representation of the People) Order 2007 (“2007 Order”), which is revoked subject to specific saving provisions.

Many of the provisions of the 2007 Order are reproduced in the Order, using updated language where appropriate to improve clarity and accessibility.

The Order reflects the following changes made by the 2024 Act—

- (a) the changes to the number of constituencies and the number of seats for each constituency, and abolition of the five electoral regions, and
- (b) the change to the way in which members will be elected in future, including—

- (i) the closed list proportional system under which all members will be elected in the same way;
- (ii) the fact voters will have only one vote, rather than two;
- (iii) the provisions in the 2024 Act which permit a person to stand only once as a candidate at a general election. This is achieved by ensuring a registered political party list does not include a person who is included on any other list (whether in the same constituency or another), or a person who is standing as an individual candidate, and also by ensuring a person may not be an individual candidate if they appear on any party list, or as an individual candidate in any other constituency.

The Order also—

- (a) incorporates the new residency requirements of candidates by amending the nomination process to require all candidates to declare they are included in a register of local government electors at an address within a Senedd constituency,
- (b) gives effect to the requirement that the names of all validly nominated candidates for a constituency must be included on a ballot paper, namely any individual candidate and each candidate that appears on a list that is submitted by a registered political party, and
- (c) implements the provisions of the 2024 Act regarding vacancies arising in Senedd seats between general elections in respect of both party list candidates and individual candidates, and in line with the 2024 Act no provision is made in the Order for the holding of by-elections where vacancies arise.

The Order applies to general elections to the Senedd held on and after 6 April 2026.

Summary of the Order

The Order sets out the way in which Senedd elections and the election campaign are to be conducted and includes provisions for legal challenge to a Senedd election. It also includes provisions relating to absent voting at Senedd elections.

Part 1 makes general provision relating to the Order including commencement, revocations, savings and interpretation.

Part 2 makes provision relating to the Senedd franchise and its exercise, namely voting at Senedd elections, including registration and absent voting;

polling districts and places; combination of polls; related duties of returning officers; and voting offences.

Part 3 makes provision in connection with Senedd election campaigns including the appointment of election agents; donations to individual candidates; election expenses of candidates, including requirements for accounting for campaign expenditure; and publicity at elections, including free post. It also restates the offences relating to electoral activities at Senedd elections, for example, undue influence, treating, and bribery.

As a result of the reform of the Senedd effected by the 2024 Act, the provisions update election campaign limits in relation to individual candidates. The new limits reflect the change to a system of sixteen new larger Senedd constituencies, each returning six members. The Order introduces a longer “regulated period” during which individual candidates are required to account for their campaign expenditure which aligns with the period for which registered political parties are required to account. The majority of the provisions relating to campaign financing and expenditure apply only in relation to individual candidates standing at Senedd elections. The expenses of party list candidates are treated as party expenditure and as such will be accounted for under the Political Parties, Elections and Referendums Act 2000. The provisions of the Order relating to notional expenditure by individual candidates have also been updated to make it clear that candidates are only required to account for notional expenditure as an election expense where that expenditure has been directed, authorised or encouraged by the candidate or the candidate’s election agent.

In terms of the undue influence offence, the language describing the offence has been strengthened and modernised.

Part 4 of the Order makes provision in connection with the legal challenge of a Senedd election or return and details the election petition process. It provides for the election court to determine the validity of an election and/or return and report on any allegations of illegal and/or corrupt practice. It also outlines the consequences for a person being reported guilty or convicted of a corrupt or illegal practice, which include a person being incapable of being registered as an elector and/or being elected to the Senedd or as a member of a local authority in Wales. The provisions on penalties for corrupt and/or illegal practice have been narrowed so that the penalties regarding an inability to be elected to other legislatures have been removed and do not extend to holding elected office in reserved bodies.

Part 5 of the Order makes miscellaneous and supplemental provisions in connection with Senedd elections including advertisements; the translation and publication of forms; public notices; and declarations which are to be given by a returning officer at a Senedd election.

Schedule 1 makes detailed provision for applications for absent votes, that is, postal and proxy votes, and for the maintenance of records in connection with these applications.

Schedule 2 makes provision in connection with the procedure for postal ballots, including the issue and receipt of postal ballot papers at Senedd elections.

Schedule 3 makes provision for the combination of polls where the polls of Senedd general elections and local government by-elections in Wales fall on the same day. Part 1 of the Schedule makes provision for the allocation of functions to returning officers and contains provisions relating to expenditure. The remainder of the Schedule modifies the Senedd election rules in Schedule 5, the Local Elections (Principal Areas) (Wales) Rules 2021 (2021/1459 (W.374)) and the Local Elections (Communities) (Wales) Rules 2021 (2021/1460 (W.375)) as appropriate when the polls are combined.

Schedule 4 requires polls at Senedd elections and police and crime commissioner (“PCC”) elections to be combined where a general Senedd election and an ordinary election of PCCs are to be held on the same day. Unlike the 2007 Order, following changes made by the UK Government, under the Order it is no longer possible to combine the issue and receipt of postal ballot papers for these elections when the polls of those elections are combined. Part 1 of the Schedule makes provision for the division of functions between Senedd and PCC returning officers and contains provisions relating to expenditure. Part 2 of the Schedule modifies the Senedd election rules in Schedule 5 when the polls are combined.

Schedule 5 contains the rules for the conduct of Senedd elections and the return of Senedd members. They outline the process for the election, from publication of the notice of election through to the declaration of the result. The rules also make provision for post-election procedures. The rules reflect the changes made by the 2024 Act, and therefore make provision only for constituency elections, with only individual candidates and registered political parties elected in those constituencies. The rules relating to the nomination process have also been amended to reflect the addition of the new requirements in relation to residency and statements of party membership. The rule relating to the filling of vacancies has also been amended so that

it clearly defines the time limits set for prospective members to take up an offer to be a member when a vacancy for a party list candidate arises.

Schedule 6 makes provision controlling donations to individual candidates.

Schedule 7 makes provision in connection with the election expenses of individual candidates.

Schedule 8 makes provision in connection with the use of rooms in school premises and meeting rooms in connection with Senedd election meetings.

Schedule 9 makes provision to modify the Election Petition Rules 1960 in connection with their application in relation to Senedd election petitions, and provides an example petition that can be used by those challenging a Senedd election.

Schedule 10 contains an appendix of forms prescribed for use under the Order.

Schedule 11 contains amendments to other legislation consequential upon the Order.

Schedule 12 lists the instruments that are to be revoked upon the making of the Order.

Regulatory Impact Assessment

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefit of complying with this Order. A copy can be obtained from the Elections Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government website at www.gov.wales.

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Made

Coming into force

18 July 2025

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The Welsh Ministers make the following Order in exercise of the powers conferred by sections 6(2), 13(1), (2) and (4) and 157(2)(c) of the Government of Wales Act 2006⁽¹⁾ and by section 26(2) of the Welsh Language Act 1993⁽²⁾.

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- (1) 2006 c. 32. Section 6 was substituted by section 8 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4). Section 13 was substituted by section 5(1) of the Wales Act 2017 (c. 4). It was subsequently amended by paragraph 2 of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1); paragraph 29 of Schedule 3 to the European Union (Withdrawal) Act 2018 (c. 16); and section 10(3) of the Senedd Cymru (Members and Elections) Act 2024. Section 157 was amended by paragraphs 1 and 8 of Schedule 6 to the Wales Act 2017.
- (2) 1993 c. 38. The functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). See also section 59A of, and Schedule 3A to, the Government of Wales Act 2006. The power to make an order under section 26(2) of the Welsh Language Act 1993 may also be exercised to make rules by virtue of section 39 of the Legislation (Wales) Act 2019 (anaw 4).

In accordance with section 7(1) and (2)(f) of the Political Parties, Elections and Referendums Act 2000⁽¹⁾, the Welsh Ministers have consulted with the Electoral Commission prior to the Order being made and, in accordance with section 8(2) and (3)(b)⁽²⁾ of that Act, the Welsh Ministers have acted on the recommendation of the Commission in limiting the election expenses of candidates under section 13(2)(c) of the Government of Wales Act 2006.

In accordance with section 13(7) of the Government of Wales Act 2006, a draft of this Order was laid before, and has been approved by a resolution of, Senedd Cymru.

PART 1

General

Title, commencement, revocation and savings provision

1.—(1) The title of this Order is the Senedd Cymru (Representation of the People) Order 2025.

(2) This Order comes into force on 18 July 2025.

(3) Subject to paragraphs (4) and (5) and rule 70(3) of Schedule 5, the instruments listed in Schedule 12 are revoked.

(4) Despite the coming into force of this Order under paragraph (2), it does not have effect in relation to—

- (a) a general election the poll for which is held on or before 6 April 2026;
- (b) a Senedd returned at a general election the poll for which is held on or before 6 April 2026;
- (c) the return of a member to a Senedd mentioned in sub-paragraph (b), at a general election or otherwise.

(5) The National Assembly for Wales (Representation of the People) Order 2007⁽³⁾ continues to have effect in relation to the matters referred to in paragraph (4).

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- (1) 2000 c. 41. Section 7(2)(f) was substituted by paragraph 93 of Schedule 1 to S.I. 2007/1388, and subsequently amended by section 5(3) of the Wales Act 2017 (c. 4) and paragraph 6(3) of Schedule 1 to the Elections and Elected Bodies (Wales) Act 2024 (asc 5).
 - (2) Section 8(3)(b) was amended by paragraph 59 of Schedule 10 to the Government of Wales Act 2006 (c. 32) and paragraph 6(4) of Schedule 1 to the Elections and Elected Bodies (Wales) Act 2024 (asc 5).
 - (3) S.I. 2007/236.

Interpretation

2.—(1) In this Order—

“the 1983 Act” (“*Deddf 1983*”) means the Representation of the People Act 1983⁽¹⁾;

“the 2000 Political Parties Act” (“*Deddf Pleidiau Gwleidyddol 2000*”) means the Political Parties, Elections and Referendums Act 2000;

“the 2006 Act” (“*Deddf 2006*”) means the Government of Wales Act 2006;

“the 2011 Act” (“*Deddf 2011*”) means the Police Reform and Social Responsibility Act 2011⁽²⁾;

“the 2001 Regulations” (“*Rheoliadau 2001*”) means the Representation of the People (England and Wales) Regulations 2001⁽³⁾;

“absent voter” (“*pleidleisiwr absennol*”) means an elector who is entitled to vote by proxy, or an elector or proxy who is entitled to vote by post, and “absent vote” (“*pleidlais absennol*”) is to be construed accordingly;

“anonymous entry” (“*cofnod dienw*”), in relation to a register, is to be construed in accordance with section 9B of the 1983 Act⁽⁴⁾;

“available for inspection” (“*ar gael i edrych arno*”) means available for inspection during ordinary office hours;

“candidate” (“*ymgeisydd*”) means an individual candidate or a party list candidate for return as a Senedd member;

“the Clerk” (“*y Clerc*”) is to be construed in accordance with section 26 of the 2006 Act⁽⁵⁾;

“constituency election” (“*etholiad etholaethol*”) means an election to return a Senedd member for a Senedd constituency;

“date of the allowance of an authorised excuse” (“*dyddiad caniatáu esgus awdurdodedig*”) has the meaning given by article 60(10);

“declaration as to election expenses” (“*datganiad ynghylch treuliau etholiad*”) means a declaration made under article 55 or 56;

“disability” (“*anabledd*”) in relation to doing a thing, includes the short-term inability to do it;

(1) 1983 c. 2.

(2) 2011 c. 13.

(3) S.I. 2001/341.

(4) Section 9B was inserted by section 10(1) of the Electoral Administration Act 2006 (c. 22). It was subsequently amended by paragraph 7 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6).

(5) Section 26 was amended by section 5 of, and paragraph 2 of Schedule 1 to, the Senedd and Elections (Wales) Act 2020 (anaw 1).

“election court” (*“llys etholiadol”*) means a special court of presiding judges convened to determine the petition against the result of a Senedd election;

“elector” (*“etholwr”*), except in articles 9, 10 and 67 and rule 36 of Schedule 5, means any person whose name is for the time being on the register to be used at a Senedd election or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries, but does not include those shown on the register as below voting age on the day fixed for the poll;

“electoral number” (*“rhif etholiadol”*) means a person's number in the register to be used at the election or, pending publication of the register, that person's number, if any, in the electors' lists for that register;

“individual candidate” (*“ymgeisydd unigol”*) means a candidate at a Senedd election other than a party list candidate;

“legal incapacity” (*“anghymhwyster cyfreithiol”*) means any disqualification from voting imposed by this Order or by any other enactment;

“legal process” (*“proses gyfreithiol”*) means a claim form, application notice, writ, summons or other similar process;

“list of proxies” (*“rhestr dirprwyon”*), in relation to a Senedd election, has the meaning given by article 8(3);

“local authority” (*“awdurdod lleol”*)—

- (a) in relation to articles 25, 113(1)(b), 124(1)(b) and 124(2) and paragraph 6 of Schedule 3, means a county council, county borough council or community council in Wales, and
- (b) in all other instances, means a county council or county borough council in Wales;

“local government election” (*“etholiad llywodraeth leol”*) means an election listed in article 15(2);

“money” (*“arian”*), except in articles 43, 80 and 81 and Schedule 6, and “pecuniary reward” (*“gwobr ariannol”*) is deemed to include—

- (a) any office, place or employment,
- (b) any valuable security or other equivalent of money, and
- (c) any valuable consideration,

and expressions referring to money will be construed accordingly;

“nomination paper” (*“papur enwebu”*) means an individual nomination paper or a party nomination paper;

“party list” (*“rhestr plaid”*) means a list of not more than eight candidates, but it may be a list of

only one candidate, to be a Senedd member or Senedd members for a Senedd constituency which is to be or has been submitted to a returning officer by a registered political party;

“party list candidate” (“*ymgeisydd rhestr plaid*”) means a candidate included on a party list;

“payment” (“*taliad*”) includes any pecuniary or other reward;

“police and crime commissioner election” (“*etholiad comisiynydd heddlu a throseddu*”) means an election under Chapter 6 of Part 1 of the 2011 Act;

“police area” (“*ardal heddlu*”) means a police area in Wales listed in Schedule 1 to the Police Act 1996(1) (police areas);

“postal ballot paper” (“*papur pleidleisio drwy’r post*”) means a ballot paper issued to a postal voter;

“postal voter” (“*pleidleisiwr drwy’r post*”) means an elector or proxy who is entitled to vote by post;

“postal voters list” (“*rhestr pleidleiswyr drwy’r post*”) means the list kept under article 8(2);

“presiding officer” (“*swyddog llywyddu*”), in relation to a polling station, means a person appointed under rule 35 of Schedule 5;

“Presiding Officer of the Senedd” (“*Llywydd y Senedd*”) is to be construed in accordance with section 25 of the 2006 Act(2);

“proxy postal voter” (“*dirprwy sy’n pleidleisio drwy’r post*”) means a person entitled to vote by post as proxy at an election;

“proxy postal voters list” (“*rhestr pleidleiswyr drwy’r post drwy ddirprwy*”) means the list kept under article 10(8);

“qualifying address” (“*cyfeiriad cymhwysol*”) has the same meaning as in section 9(8)(b) of the 1983 Act(3);

“qualifying Commonwealth citizen” (“*dinesydd cymhwysol o’r Gymanwlad*”) means a Commonwealth citizen who either—

(a) is not a person who requires leave under the Immigration Act 1971(4) to enter or remain in the United Kingdom, or

(1) 1996 c. 16.

(2) Section 25 was amended by paragraph 2 of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1) and section 4(1) of the Senedd Cymru (Members and Elections) Act 2024 (asc 4). The amendments made by the 2024 Act are not relevant here.

(3) Section 9 was substituted by paragraph 3 of Schedule 1 to the Representation of the People Act 2000 (c. 2). The section has been amended subsequently, but those amendments are not relevant here.

- (b) is such a person but for the time being has, or is by virtue of any enactment to be treated as having, any description of such leave,

but a person is not a qualifying Commonwealth citizen if that person does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971⁽¹⁾ (exemptions to requirement for leave in special cases);

“qualifying foreign citizen” (*“dinesydd tramor cymhwysol”*) means a person who—

- (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and

- (b) either—

- (i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

- (ii) is such a person but for the time being has, or is by virtue of any enactment to be treated as having, any description of such leave;

“record of anonymous entries” (*“cofnod o gofnodion dienw”*) means the record prepared in pursuance of regulations made by virtue of paragraph 8A of Schedule 2 to the 1983 Act⁽²⁾;

“register” (*“cofrestr”*) and “register of electors” (*“cofrestr etholwyr”*) means the register of local government electors maintained under section 9(1)(b) of the 1983 Act;

“registered emblem” (*“arwyddlun cofrestredig”*) means an emblem registered by a registered political party under Part 2 of the 2000 Political Parties Act;

“registered nominating officer” (*“swyddog enwebu cofrestredig”*) means the person registered under Part 2 of the 2000 Political Parties Act as the officer with responsibility for the matters referred to in section 24(3) of that Act in respect of a registered political party;

“registered political party” (*“plaid wleidyddol gofrestredig”*) means, subject to rules 10 and 76 of

(4) 1971 c. 77.

(1) Section 8 was amended by section 39 of, and paragraphs 2 and 5 of Schedule 4 to, the British Nationality Act 1981 (c. 61); section 4 of the Immigration Act 1988 (c. 14); paragraph 2 of Schedule 1 to the Statute Law (Repeals) Act 1995 (c. 44); section 6 of the Immigration and Asylum Act 1999 (c. 33); section 76(1) of the Immigration Act 2016 (c. 19); paragraph 2 of Schedule 6 to the Nationality and Borders Act 2022 (c. 36); section 30(2) of the Illegal Migration Act 2023 (c. 37); and S.I. 2024/815.

(2) Paragraph 8A was inserted by paragraph 15(6) of Schedule 1 to the Electoral Administration Act 2006 (c. 22).

Schedule 5, a party registered under Part 2 of the 2000 Political Parties Act;

“registration officer” (“*swyddog cofrestru*”) means an electoral registration officer under section 8 of the 1983 Act⁽¹⁾;

“relevant citizen of the Union” (“*dinesydd perthnasol o’r Undeb*”) means a citizen of the Union who is not a qualifying Commonwealth citizen or a citizen of the Republic of Ireland, and “citizen of the Union” (“*dinesydd o’r Undeb*”) is to be construed in accordance with article 20(1) of the Treaty on the Functioning of the European Union⁽²⁾;

“relevant registration officer” (“*swyddog cofrestru perthnasol*”) is to be construed in accordance with sections 42(1) and 44(1) to (3) and (5) of the Electoral Administration Act 2006⁽³⁾;

“returning officer” (“*swyddog canlyniadau*”) means the officer who, in accordance with article 18, is the returning officer for a Senedd constituency;

“Senedd” (“*Senedd*”) has the same meaning as in section 1(1) of the 2006 Act⁽⁴⁾;

“Senedd constituency” (“*etholaeth Senedd*”) is to be construed in accordance with section 2 of the 2006 Act⁽⁵⁾;

“Senedd election” (“*etholiad i’r Senedd*”) means a Senedd constituency election;

“Senedd election petition” (“*deiseb etholiad ar gyfer etholiad i’r Senedd*”) means a petition presented in pursuance of Part 4 of this Order;

“Senedd election rules” (“*rheolau etholiadau’r Senedd*”) means the rules for the conduct of Senedd elections set out in Schedule 5;

“Senedd general election” (“*etholiad cyffredinol i’r Senedd*”) means the holding of elections for the return of all Senedd members;

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- (1) Section 8 was amended by paragraph 130(2) of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39); paragraph 68(1) of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19) and section 11(4) of the Parliamentary Voting System and Constituencies Act 2011 (c. 1).
- (2) OJ No. C 202, 7.6.2016, p. 47.
- (3) 2006 c. 22.
- (4) Section 1(1) was amended by paragraph 2 of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1).
- (5) Section 2 was substituted by section 2 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

“service voter” (“*pleidleisiwr gwasanaeth*”) means a person who has made a service declaration in accordance with section 15 of the 1983 Act⁽¹⁾ and is registered or entitled to be registered in pursuance of it;

“statement of parties and persons nominated” (“*datganiad o’r pleidiau a’r personau a enwebwyd*”) means a statement prepared in accordance with rule 17 of Schedule 5;

“sub-agent” (“*is-asiant*”) has the meaning given by article 40(1);

“UK Parliamentary constituency” (“*etholaeth Seneddol y DU*”) means a constituency specified in an Order in Council made under section 4 of the Parliamentary Constituencies Act 1986⁽²⁾;

“universal service provider” (“*darparwr gwasanaeth cyffredinol*”) means a universal service provider within the meaning of Part 3 of the Postal Services Act 2011⁽³⁾;

“voter” (“*pleidleisiwr*”) means a person voting at a Senedd election and includes a person voting as proxy and, except in Schedule 5, a person voting by proxy, and “vote” (“*pleidlais*” and “*pleidleisio*”), whether noun or verb, is to be construed accordingly, except that in that Schedule any reference to an elector voting or an elector’s vote includes a reference to an elector voting by proxy or elector’s vote given by proxy, and absent vote is to be construed accordingly;

“voting age” (“*oedran pleidleisio*”) means 16 years of age or over.

(2) For the purposes of this Order a person is to be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of their birth.

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- (1) Section 15 was amended by paragraph 8 of Schedule 1 and Schedule 7 to the Representation of the People Act 2000 (c. 2); sections 12(7) and 13(1) of the Electoral Administration Act 2006 (c. 22); paragraph 15 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6); section 20(3) of the Senedd and Elections (Wales) Act 2020 (anaw 1); and paragraph 1(4) of Schedule 8 to the Elections Act 2022 (c. 37).
- (2) 1986 c. 56. Section 4 was amended by paragraph 17 of the Schedule to the Fixed-term Parliaments Act 2011 (c. 14); section 2 of the Parliamentary Constituencies Act 2020 (c. 25); S.I. 2018/780 and S.I. 2021/1265.
- (3) 2011 c. 5.

PART 2

Senedd Cymru franchise and its exercise

Registration and absent voting

3.—(1) Subject to giving notice of the appeal in accordance with paragraph 13(1) of Schedule 1, an appeal from any decision of the registration officer under this Order disallowing a person's application to vote—

- (a) by proxy or by post as elector, or
- (b) by post as proxy,

lies to the county court in any case where the application is not made for a particular Senedd election only.

(2) No appeal lies from the decision of the Court of Appeal on appeal from a decision of the county court under this article.

(3) If an appeal under this article or section 56 of the 1983 Act⁽¹⁾ is pending when notice of a Senedd election is given—

- (a) the appeal does not prejudice the operation of the decision appealed against for that election, and
- (b) anything done in pursuance of the decision will be as good as if no such appeal had been brought.

(4) Notice must be sent to the registration officer in the manner provided by rules of court of the decision of the county court or of the Court of Appeal on any appeal by virtue of this article, and the registration officer must make such alterations in the—

- (a) record kept under article 6(4), or
- (b) record kept under article 10(6),

as may be required to give effect to the decision.

(5) Where, as a result of the decision on an appeal under this article or section 56 of the 1983 Act, an alteration in the register or record takes effect under this article or under section 13(5), 13A(2) or 13B(3) or (3B) of the 1983 Act⁽²⁾ on or before the date of the

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- (1) 1983 c.2. The functions of the Secretary of State, insofar as they are exercisable within devolved competence, were transferred to the Welsh Ministers by article 45 of, and paragraph 1 of Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).
- (2) Sections 13, 13A and 13B were substituted for section 13, as originally enacted, by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2). Section 13(5) was subsequently amended by paragraph 2 of Schedule 2 to the Recall of MPs Act 2015 (c. 25). Section 13A(2) was subsequently amended by paragraph 4(3) of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33). Section 13B(3B) was subsequently inserted by section 11 of the Electoral Administration Act 2006 (c. 22).

poll, paragraph (3) does not apply to that appeal as respects that election.

(6) On an appeal brought under this article, the registration officer is deemed to be a party to the proceedings, and the registration expenses payable to a registration officer must include any expenses properly incurred by the registration officer under this paragraph.

Polling districts and places at Senedd elections

4.—(1) For the purpose of Senedd elections every constituency must be divided into polling districts.

(2) For each polling district there must be a polling place, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors, or any body of them.

(3) Subject to paragraph (4), the polling districts and polling places designated under this article must be the same as those used or designated under sections 18A and 18B of the 1983 Act⁽¹⁾ (polling districts and polling places at parliamentary elections).

(4) Where it appears to the local authority, or local authorities, for the area of a polling district or polling place that it is desirable for some other polling district or polling place to be designated for the purpose of a Senedd election, the local authority may so designate that other polling district or polling place.

(5) An election may not be questioned by reason of—

- (a) any non-compliance with the provisions of this article, or
- (b) any irregularity relating to polling districts or polling places.

Manner of voting at Senedd elections

5.—(1) This article applies to determine the manner of voting of a person (“P1”) entitled to vote as an elector at a Senedd election.

(2) P1 may vote in person at the polling station allotted to P1 under this Order, unless P1 is entitled as an elector to an absent vote at a Senedd election.

(3) P1 may vote by post if P1 is entitled as an elector to vote by post at a Senedd election.

(4) Subject to paragraph (5), P1 may vote by proxy if P1 is entitled to vote by proxy at a Senedd election.

(1) Sections 18A and 18B were substituted for section 18, as originally enacted, by section 16(1) of the Electoral Administration Act 2006 (c. 22).

(5) If a ballot paper has not been issued for P1 to vote by proxy, P1 may apply at the polling station allotted to P1 under this Order for a ballot paper to vote in person and vote in person there.

(6) P1 may vote in person at any polling station in the Senedd constituency for which the election is being held if—

- (a) P1 is not entitled as an elector to an absent vote at the election, but
- (b) P1 cannot reasonably be expected to go in person to polling station allotted to P1 under this Order by reason of P1's employment on the date of the poll, either as a constable or by a returning officer, for a purpose connected with the election.

(7) In paragraph (6), the reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002⁽¹⁾ (police powers for civilian staff and volunteers).

(8) Nothing in the preceding provisions of this article applies to a person ("P2")—

- (a) to whom section 7 of the 1983 Act⁽²⁾ (residence: patients in mental hospitals who are not detained offenders or on remand) applies, and
- (b) who is liable, by virtue of any enactment, to be detained in the mental hospital in question,

whether P2 is registered by virtue of that provision or not.

(9) Where paragraph (8) applies, P2 may vote—

- (a) in person, where P2 is granted permission to be absent from the hospital and voting in person does not breach any condition attached to that permission, or
- (b) by post or by proxy, where P2 is entitled as an elector to vote by post or by proxy at the election.

(1) 2002 c. 30. Section 38 was amended by Part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c. 15); paragraph 2(2) of Schedule 5 to the Police and Justice Act 2006 (c. 48); paragraph 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13); and sections 3 and 38 of, and paragraph 82 of Schedule 1 to, the Policing and Crime Act 2017 (c. 3).

(2) Section 7 was amended by section 4 of the Representation of the People Act 2000 (c. 2); section 12(1) of the Electoral Administration Act 2006 (c. 22); and section 13 of, and paragraph 2 of Schedule 4 to, the Electoral Registration and Administration Act 2013 (c. 6).

(10) Nothing in the preceding provisions of this article applies to a person (“P3”) to whom section 7A of the 1983 Act⁽¹⁾ (residence: persons remanded in custody etc.) applies, whether P3 is registered by virtue of that provision or not.

(11) Where paragraph (10) applies, P3 may only vote by post or by proxy at the election where P3 is entitled as an elector to vote by post or by proxy at the election.

(12) For the purposes of this Order, a person who is entitled to vote as an elector at a Senedd election is entitled to vote—

- (a) by post if that person is shown in the postal voters lists mentioned in article 8(2) as entitled to vote by post at an election;
- (b) by proxy if that person is shown in the list of proxies mentioned in article 8(3) as entitled to vote by proxy at an election.

(13) Paragraph (2) does not prevent a person marking a tendered ballot paper in pursuance of rule 50 of Schedule 5 at the polling station allotted to that person.

Absent vote at Senedd elections for a particular or an indefinite period

6.—(1) Where a person applies to the registration officer to vote by post at Senedd elections, whether for an indefinite period or for a particular period specified in the application, the registration officer must grant the application if—

- (a) the registration officer is satisfied that the applicant is or will be registered in the register of electors, and
- (b) the application contains the applicant’s signature and date of birth, and meets the requirements set out in Schedule 1.

(2) Where a person applies to the registration officer to vote by proxy at Senedd elections, whether for an indefinite period or for a particular period specified in the application, the registration officer must grant the application if—

- (a) the registration officer is satisfied that the applicant is eligible to vote by proxy at Senedd elections,

(1) Section 7A was inserted by section 5 of the Representation of the People Act 2000 (c. 2). Section 7A was subsequently amended by section 12(2) of the Electoral Administration Act 2006 (c. 22), and paragraphs 1 and 3 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6).

- (b) the registration officer is satisfied that the applicant is or will be registered on the register of electors, and
 - (c) the application contains the applicant's signature and date of birth, and meets the requirements set out in Schedule 1.
- (3) For the purposes of this article, a person ("P") is eligible to vote by proxy at Senedd elections if—
- (a) P is or will be registered as a service voter,
 - (b) P has an anonymous entry in the register of electors,
 - (c) by reason of severe sight-impairment or other disability, P cannot reasonably be expected—
 - (i) to go in person to the polling station allotted or likely to be allotted to P under this Order, or
 - (ii) to vote unaided there,
 - (d) P cannot reasonably be expected to go in person to the polling station allotted to P by reason of the general nature of P's occupation, service or employment, or that of P's spouse or civil partner,
 - (e) P cannot reasonably be expected to go in person to the polling station allotted to P by reason of P's attendance on a course provided by an educational institution, or that of P's spouse or civil partner, or
 - (f) P cannot go in person from P's qualifying address to the polling station allotted to P without making a journey by air or sea.
- (4) The registration officer must keep a record of the persons whose applications under this article have been granted showing—
- (a) whether the applications were to vote by post or by proxy for an indefinite or a particular period, specifying that period,
 - (b) in the case of those who may vote by post, the addresses provided by them in their applications as the addresses to which their ballot papers must be sent, and
 - (c) in the case of those who may vote by proxy, the names and addresses of those appointed as their proxies.
- (5) The registration officer must remove a person from the record kept under paragraph (4)—
- (a) if that person applies to the registration officer to be removed,
 - (b) in the case of a person who is eligible to vote by proxy by virtue of having an anonymous entry, if that person ceases to have an anonymous entry,

- (c) in the case of a registered person, if that person ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered in pursuance of—
 - (i) a service declaration, or
 - (ii) a declaration of local connection,
- (d) in the case of any person shown in the record as voting by proxy, if the registration officer gives notice that the registration officer has reason to believe there has been a material change of circumstances, or
- (e) in the case of a person who applies to vote by post or by proxy for a particular period, once that period has expired.

(6) A person shown in the record kept under paragraph (4) as voting by post may make a further application to change the method of voting to vote by proxy instead, whether for an indefinite period or a particular period as specified in the application.

(7) Where a registration officer would be required to grant an application made under paragraph (6) if that application were an application to vote by proxy made under paragraph (2), the registration officer must amend the record accordingly.

(8) A person shown in the record kept under paragraph (4) as voting by proxy may make a further application to change the method of voting to vote by post instead, whether for an indefinite period or for a particular period as specified in the application.

(9) If an application made under paragraph (8) meets the requirements of Schedule 1, the registration officer must amend the record accordingly.

(10) The registration officer may dispense with the requirement under paragraphs (1)(b) and (2)(c) for the applicant to provide a signature if the registration officer is satisfied that the applicant is unable—

- (a) to provide a signature because of any disability the applicant has,
- (b) to provide a signature because the applicant is unable to read or write, or
- (c) to sign in a consistent and distinctive way because of any such disability or inability.

(11) The registration officer must keep a record in relation to the persons whose applications under this article have been granted showing—

- (a) their dates of birth, and
- (b) their signatures, except in cases where the registration officer in pursuance of paragraph (10) has dispensed with the requirement to provide a signature.

(12) The record kept under paragraph (11) must be retained by the registration officer for the period prescribed in paragraph 4 of Schedule 1.

Absent vote at a particular Senedd election

7.—(1) Where a person applies to the registration officer to vote by post at a particular Senedd election, the registration officer must grant the application if—

- (a) the registration officer is satisfied that the applicant is or will be registered in the register of electors, and
- (b) the application contains the applicant's signature and date of birth, and meets the requirements set out in Schedule 1.

(2) Where a person applies to the registration officer to vote by proxy at a particular Senedd election, the registration officer must grant the application if—

- (a) the registration officer is satisfied that the applicant's circumstances on the date of the poll will be, or are likely to be, such that the applicant cannot be reasonably expected to vote in person at the polling station allotted, or likely to be allotted, to the applicant under this Order,
- (b) the registration officer is satisfied that the applicant is or will be registered in the register of electors, and
- (c) the application contains the applicant's signature and date of birth, and meets the requirements set out in Schedule 1.

(3) Where a person who has an anonymous entry in the register of electors applies to the registration officer to vote by proxy at a particular Senedd election, the registration officer must grant the application if it meets the requirements set out in Schedule 1.

(4) Paragraphs (1) and (2) do not apply to a person who is included in the record kept under article 8 (absent voters lists at Senedd elections), but such a person may, in respect of a particular Senedd election, apply to the registration officer—

- (a) for that person's ballot paper to be sent to a different address from that shown in the record, or
- (b) to vote by proxy,

if that person is shown in that record as voting by post at Senedd elections.

(5) The registration officer must grant an application under paragraph (4) if—

- (a) in the case of any application, it meets the requirements set out in Schedule 1, and
- (b) in the case of an application to vote by proxy, the registration officer is satisfied that the

applicant's circumstances on the date of the poll will be, or are likely to be, such that the applicant cannot reasonably be expected to vote in person at the polling station allotted, or likely to be allotted, to the applicant under this Order.

(6) The registration officer may dispense with the requirement under paragraphs (1)(b) and (2)(c) for the applicant to provide a signature if the registration officer is satisfied that the applicant is unable to—

- (a) provide a signature because of any disability the applicant has,
- (b) provide a signature because the applicant is unable to read or write, or
- (c) sign in a consistent and distinctive way because of any such disability or inability.

(7) The registration officer must keep a record in relation to the persons whose applications under this article have been granted showing—

- (a) their dates of birth, and
- (b) their signatures, except in cases where the registration officer in pursuance of paragraph (6) has dispensed with the requirement to provide a signature.

(8) The record kept under paragraph (7) must be retained by the registration officer for the period prescribed in paragraph 4 of Schedule 1.

Absent voters lists at Senedd elections

8.—(1) In respect of each Senedd election, the registration officer must keep two special lists—

- (a) the postal voters list, and
- (b) the list of proxies.

(2) The postal voters list is a list of—

- (a) those persons who are for the time being shown in the record kept under article 6 as voting by post at Senedd elections, excluding those whose applications under article 7(4)(b) to vote by proxy at the election have been granted, and
- (b) those persons whose applications under article 7(1) to vote by post at the election have been granted,

together with the addresses provided by them in their applications under article 6 or 7(4)(a) as the addresses to which their ballot papers are to be sent.

(3) The list of proxies is a list of those who are for the time being shown in the record kept under article 6 as voting by proxy at Senedd elections, or whose applications under article 7(2) to vote by proxy at the

election have been granted, together with the names and addresses of those appointed as their proxies.

(4) In the case of a person who has an anonymous entry in the register, the postal voters list or list of proxies must show in relation to that person only—

- (a) their electoral number, and
- (b) the period for which the anonymous entry has effect.

Proxies at Senedd elections

9.—(1) Subject to the provisions of this article, any person is capable of being appointed proxy to vote for another (referred to in this article and article 10 as “the elector”) at any Senedd election and may vote in pursuance of the appointment.

(2) The elector cannot have more than one person at a time appointed as proxy to vote for the elector at a Senedd election.

(3) A person is not capable of being appointed to vote, or of voting, as proxy at a Senedd election—

- (a) if that person is subject to any legal incapacity (age apart) to vote at that election as an elector, or
- (b) if that person is not—
 - (i) a qualifying Commonwealth citizen,
 - (ii) a citizen of the Republic of Ireland,
 - (iii) a relevant citizen of the Union, or
 - (iv) a qualifying foreign citizen.

(4) A person is not capable of voting as proxy at a Senedd election unless on the date of the poll that person has attained the age of 16.

(5) A person is not entitled to vote as proxy in any constituency at the same Senedd election on behalf of more than two electors of whom that person is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

(6) Where the elector applies to the registration officer for the appointment of a proxy to vote for the elector at Senedd elections (whether for an indefinite period or for a particular period specified in the elector’s application), the registration officer must make the appointment if the application is signed by the applicant and meets the requirements set out in Schedule 1 and the registration officer is satisfied the elector is or will be—

- (a) registered in the register of electors, and
- (b) shown in the record kept under article 6 as voting by proxy at such elections,

and that the proxy is capable of being, and willing to be appointed, to vote as proxy at such elections.

(7) Where the elector applies to the registration officer for the appointment of a proxy to vote for the elector at a particular Senedd election, the registration officer must make the appointment if the application contains the signature and date of birth of the applicant, meets the requirements set out in Schedule 1, and the registration officer is satisfied that the elector is or will be—

- (a) registered in the register of electors for that election, and
- (b) entitled to vote by proxy at that election by virtue of an application under article 7,

and that the proxy is capable of being, and willing to be, appointed.

(8) The appointment of a proxy under this article is to be made by means of a proxy paper issued by the registration officer.

(9) The appointment may be cancelled by the elector giving notice to the registration officer.

(10) The appointment will cease to be in force—

- (a) on the issue of a proxy paper appointing a different person to vote for the elector at a Senedd election or Senedd elections, whether in the same Senedd constituency or elsewhere, and
- (b) where the appointment was for a particular period, once that period expires.

(11) Subject to paragraphs (9) and (10), the appointment will remain in force—

- (a) in the case of an appointment for a particular election, for that election, and
- (b) in any other case, while the elector is shown as voting by proxy in the record kept under article 6 in pursuance of the same application under that article.

(12) Paragraph 14 of Schedule 1 (cancellation of proxy appointment) provides for the steps to be taken where a proxy's appointment is—

- (a) cancelled under paragraph (9),
- (b) ceases to be in force under paragraph (10), or
- (c) is no longer in force under paragraph (11)(b).

(13) The registration officer may dispense with the requirement under paragraph (6) or (7) for the applicant to provide a signature if the registration officer is satisfied that the applicant is unable to—

- (a) provide a signature because of any disability the applicant has,
- (b) provide a signature because the applicant is unable to read or write, or
- (c) sign in a consistent and distinctive way because of any such disability or inability.

Voting as proxy at Senedd elections

10.—(1) A person entitled to vote as proxy at a Senedd election may do so in person at the polling station allotted to the elector under this Order unless that person is entitled to vote by post as proxy for the elector at the election, in which case that person may vote by post.

(2) Where a person is entitled to vote by post as proxy for the elector at any Senedd election, the elector may not apply for a ballot paper for the purpose of voting in person at the election.

(3) For the purposes of this Order, a person entitled to vote as proxy for another at a Senedd election is entitled to vote by post if the person is included in the list kept under paragraph (8) in respect of the election.

(4) Where a person applies to the registration officer to vote by post as proxy—

- (a) at Senedd elections, whether for an indefinite period or for a particular period specified in the person's application, or
- (b) at a particular Senedd election,

the registration officer must grant the application if the conditions set out in paragraph (5) are satisfied.

(5) The conditions are that—

- (a) the registration officer is satisfied that the elector is or will be registered in the register of electors,
- (b) there is in force an appointment of the applicant as the elector's proxy to vote for the elector at Senedd elections or the Senedd election concerned,
- (c) the application contains the applicant's signature and date of birth, and
- (d) the application meets the requirements set out in Schedule 1.

(6) The registration officer must keep a record of the persons whose applications under paragraph (4)(a) have been granted showing—

- (a) whether their applications were to vote by post as proxy for an indefinite or a particular period, specifying that period, and
- (b) the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.

(7) Where, in the case of a particular election, a person included in the record kept under paragraph (6) applies to the registration officer for their ballot paper to be sent to a different address from that shown in the record, the registration officer must grant the application if it meets the requirements set out in Schedule 1.

(8) In respect of each Senedd election, the registration officer must keep a special list (“the proxy postal voters list”) of—

- (a) those who are for the time being included in the record kept under paragraph (6), and
- (b) those whose applications under paragraph (4)(b) have been granted in respect of the election concerned,

together with the addresses provided by them in their applications under paragraph (4)(a) or (7) as the addresses to which their ballot papers are to be sent.

(9) In the case of a person who has an anonymous entry in the register, the special list under paragraph (8) must contain only the person’s electoral number and the period for which the anonymous entry has effect.

(10) The registration officer must remove a person from the record kept under paragraph (8)—

- (a) if that person applies to the registration officer to be removed,
- (b) in the case of a person who applied to vote by post as proxy for a particular period, once that period expires,
- (c) if the elector ceases to be registered in the register of electors, or
- (d) if the appointment of the person concerned as the elector’s proxy ceases to be in force, whether or not that person is re-appointed.

(11) Paragraph (2) does not prevent a person, at the polling station allotted to them, marking a tendered ballot paper in pursuance of rule 50 of Schedule 5.

(12) The registration officer may dispense with the requirement under paragraph (5)(c) for the applicant to provide a signature if the registration officer is satisfied that the applicant is unable to—

- (a) provide a signature because of any disability the applicant has,
- (b) provide a signature because the applicant is unable to read or write, or
- (c) sign in a consistent and distinctive way because of any such disability or inability.

(13) The registration officer must also keep a record in relation to the persons whose applications under paragraph (4)(a) or (b) have been granted showing—

- (a) their dates of birth, and
- (b) their signatures, except in cases where the registration officer has dispensed with the requirement to provide a signature in pursuance of paragraph (12).

(14) The record kept under paragraph (13) must be retained by the registration officer for the period prescribed in paragraph 4 of Schedule 1.

Electors' signatures and use of personal identifier information

11.—(1) An application for an absent vote or proxy postal vote made in accordance with article 6, 7, 9 or 10 must comply with paragraph 1 of Schedule 1 (relating to personal identifiers).

(2) A person who remains on the record kept under article 6(4) or 10(6) may, at any time, provide the registration officer with a fresh signature.

(3) Anything required or authorised to be done for the purposes of any enactment in relation to a signature required to be provided in pursuance of the absent vote provisions of this Order, must be done using a signature provided under paragraph (2) instead of in relation to a signature provided on any earlier occasion.

(4) The registration officer must—

- (a) provide the returning officer for a Senedd election with a copy of the information contained in records kept by the registration officer in pursuance of articles 6(11), 7(7) and 10(13) in relation to electors at the elections, or
- (b) give that returning officer access to such information.

(5) Information contained in records kept by a registration officer in pursuance of article 6(11), 7(7) or 10(13) may be disclosed by the registration officer, subject to the conditions prescribed in paragraphs 18 and 19 of Schedule 1, to—

- (a) any other registration officer (“R”) if the registration officer thinks that to do so will assist R in the performance of R’s duties;
- (b) any person exercising functions in relation to the preparation or conduct of legal proceedings under the Representation of the People Acts or this Order;
- (c) such other persons for such other purposes relating to elections as are prescribed in paragraphs 18 and 19 of Schedule 1.

(6) For the purposes of paragraph (5)(b), the “Representation of the People Acts” are—

- (a) the Representation of the People Act 1983⁽¹⁾,

(1) 1983 (c. 2).

- (b) the Representation of the People Act 1985⁽¹⁾, and
- (c) the Representation of the People Act 2000⁽²⁾.

Offence: false information

12.—(1) A person who has attained voting age and provides false information in connection with an application to which article 6, 7, 9 or 11 applies is guilty of an offence.

(2) For the purposes of paragraph (1), “false information” means a signature which—

- (a) is not the usual signature of, or
- (b) was written by a person other than,

the person whose signature it purports to be.

(3) A person is not guilty of an offence under paragraph (1) if that person did not know and had no reason to suspect that the information was false.

(4) Where sufficient evidence is adduced to raise an issue with respect to the defence under paragraph (3), the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(5) A person guilty of an offence under paragraph (1) is liable on summary conviction to—

- (a) imprisonment for a term not exceeding 6 months, or
- (b) a fine not exceeding level 5 on the standard scale,

or both.

(6) In relation to an offence committed after the commencement of section 281(5) of the Criminal Justice Act 2003⁽³⁾, the reference in paragraph (5)(a) to 6 months must be taken to be a reference to 51 weeks.

Other offences relating to absent voting

13.—(1) A person (“P”) is guilty of an offence if P—

- (a) engages in a relevant act specified in paragraph (2) at a Senedd election, and
- (b) intends, by doing so, to—
 - (i) deprive another of an opportunity to vote,
 - (ii) make for P or another, a gain of a vote to which P or the other is not otherwise entitled, or

(1) 1985 (c. 50)

(2) 2000 (c. 2).

(3) 2003 c. 44. Section 281 is yet to be commenced.

(iii) make for P or another, a gain of money or property.

(2) The relevant acts are—

- (a) applying for a postal or a proxy vote as some other person, whether that other person is living or dead or is a fictitious person,
- (b) otherwise making a false statement in, or in connection with, an application for a postal or a proxy vote,
- (c) inducing the registration officer to send a postal ballot paper, or any communication relating to a postal or a proxy vote, to an address which has not been agreed to by the person entitled to the vote,
- (d) causing a communication relating to a postal or a proxy vote, or containing a postal ballot paper, not to be delivered to the intended recipient, and
- (e) those acts listed at article 31.

(3) In paragraph (1)(b)(iii), property includes any description of property.

(4) In paragraph (2), a reference to a postal vote or a postal ballot paper includes a reference to a proxy postal vote or a proxy postal ballot paper.

(5) A person who is guilty of an offence under paragraph (1) or who aids, abets, counsels or procures the commission of such an offence is guilty of a corrupt practice and is liable on conviction in accordance with article 121.

Absent voting at Senedd elections: miscellaneous

14.—(1) Section 59 of the 1983 Act⁽¹⁾ (supplemental provisions as to members of forces and service voters) applies for the purposes of a Senedd election subject to the following modifications—

- (a) in subsection (3) (right to register and vote in person, by post or by proxy), “this Act” is to be construed as including a reference to this Order in connection with the rights conferred by this Order on a person having a service qualification by virtue of section 14(1)(a) or (b) of that Act (service qualification as a member of the forces or being employed in the service of the Crown in a post outside the United Kingdom of any prescribed class or description) in relation to the making and cancellation of appointments of a proxy, and

(1) Section 59 was amended by section 1 of the Representation of the People Act 1993 (c. 29); section 8 of, and paragraphs 1 and 16 of Schedule 1 to, the Representation of the People Act 2000 (c. 2); and section 13 of the Electoral Administration Act 2006 (c. 22).

in relation to voting in person, by post or by proxy, and

- (b) in subsection (3A) (right of members of forces and service voters to information about their right to vote), “this Act and any regulations made under it” is to be construed as including a reference to this Order.

(2) Schedule 1 makes further provision in connection with absent voting at Senedd elections.

(3) Schedule 2 makes further provision in connection with the issue and receipt of postal ballot papers.

Combination of polls at Senedd and local government elections

15.—(1) Where the polls at a Senedd general election and a local government election listed in paragraph (2) fall on the same day, they may be taken together.

(2) The elections referred to in paragraph (1) are—

- (a) an election held in accordance with section 89(1) of the Local Government Act 1972⁽¹⁾ to fill a casual vacancy occurring in the office of councillor for a county or county borough council;
- (b) an election held in accordance with section 89(6) of the Local Government Act 1972⁽²⁾ to fill a casual vacancy among community councillors.

(3) Where the polls at a Senedd general election and a local government election are combined under paragraph (1), the cost of taking the combined polls, excluding any cost solely attributable to one election, and any cost attributable to their combination must be apportioned equally among the elections.

(4) Schedule 3 makes further provision in connection with the combination of polls at a Senedd general election and local government elections.

Combination of polls at Senedd and Police and Crime Commissioner elections

16.—(1) Where the polls at a Senedd general election and an ordinary election of police and crime commissioners are to be taken on the same date, they must be taken together.

(1) 1972 c. 70. Section 89(1) was amended by section 19(6)(c) of the Representation of the People Act 1985 (c. 50).

(2) Section 89(6) was amended by paragraph 13 of Schedule 8 to the Representation of the People Act 1983 (c. 51) and paragraph 1 of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1).

(2) For the purposes of paragraph (1) an “ordinary election of police and crime commissioners” has the same meaning as in section 50 of the 2011 Act⁽¹⁾.

(3) Where the polls at a Senedd general election and a police and crime commissioner election for related areas are to be taken on the same date but are not required by paragraph (1) to be taken together, they may nevertheless be taken together if the returning officer for each election thinks fit.

(4) For the purposes of paragraph (3)—

- (a) a “police and crime commissioner election” has the same meaning as in section 51 of the 2011 Act⁽²⁾ (election to fill vacancy in office of commissioner), and
- (b) two areas are related if one is coterminous with or situated wholly or partly within the other.

(5) Where the polls at any elections are combined under this article, the cost of taking the combined polls, excluding any cost solely attributable to one election, and any cost attributable to their combination is to be apportioned equally among the elections.

(6) Schedule 4 makes further provision in connection with the combination of polls at Senedd and police and crime commissioner elections.

Rules for Senedd elections

17.—(1) The proceedings at Senedd elections, including the return of Senedd members, must be conducted in accordance with the Senedd election rules set out in Schedule 5.

(2) In addition to the functions otherwise conferred or imposed on a returning officer at a Senedd election, it is the general duty of such an officer to do all such acts as may be necessary for effectively conducting the election in the manner provided by those rules.

(3) No Senedd election is to be declared invalid due to any act or omission by a returning officer, or any other person, which is either in breach of that returning officer’s official duty in connection with the election, or in breach of those rules, if it appears to the tribunal considering the matter in question that—

- (a) the election was so conducted as to be substantially in accordance with the law as to Senedd elections, and
- (b) the act or omission did not affect the result.

(1) Section 50 was amended by section 8 of the Wales Act 2017 (c. 4) and S.I. 2021/1265.

(2) Section 51 was amended by section 8(5) of the Wales Act 2017 (c. 4) and paragraph 6(2) of Schedule 8 to the Elections Act 2022 (c. 37).

Returning officers

18.—(1) For the purpose of Senedd elections there must be a returning officer for each Senedd constituency, and such persons must hold office in accordance with the following provisions of this article.

(2) A returning officer is the person—

- (a) who is appointed under section 35(1A)(a) of the 1983 Act⁽¹⁾ to be the returning officer for elections of councillors of a county or county borough situated wholly or partly in the Senedd constituency, and
- (b) in the case where there is more than one such person, who is for the time being designated by the Welsh Ministers as returning officer for the constituency.

(3) A designation made under this article must be in writing.

(4) The office of returning officer is a distinct office from that by virtue of which the person becomes returning officer.

(5) Where a person takes any office by virtue of which that person becomes a returning officer, that person, and not the outgoing holder of the office, must complete the conduct of any outstanding election in accordance with the Senedd election rules.

Officers of councils to be placed at disposal of returning officers

19. The council of each county or county borough must place the services of its officers at the disposal of any returning officer for a Senedd constituency wholly or partly situated in its area, for the purposes of assisting the returning officer to discharge any functions conferred upon that officer in relation to a Senedd election.

Returning officers: discharge of functions

20. A returning officer at a Senedd election may, in writing, appoint one or more persons to discharge all or any of their functions.

Returning officers: correction of procedural errors

21.—(1) A returning officer at a Senedd election may take such steps as that officer thinks appropriate to remedy any act or omission on the part of that officer, or on the part of a relevant person, which—

(1) Section 35(1A) was inserted by section 66(6) of, and paragraph 68(7) of Schedule 16 to, the Local Government (Wales) Act 1994 (c. 19).

- (a) arises in connection with any function the returning officer or relevant person has in relation to the election, and
 - (b) is not in accordance with the rules or any other requirements applicable to the election.
- (2) A returning officer may not, under paragraph (1), re-count the votes given at an election after the result has been declared.
- (3) The relevant persons are—
- (a) a registration officer,
 - (b) a presiding officer,
 - (c) a person providing goods or services to the returning officer, and
 - (d) a deputy of any person mentioned in subparagraphs (a) and (b), or a person appointed to assist, or in the course of their employment assisting, such a person in connection with any function that person has in relation to the election.

Returning officers: general

22.—(1) A Senedd election is not liable to be questioned by reason of a defect in the title, or want of title, of the person presiding at or conducting the election, if that person was then in actual possession of, or acting in, the office giving the right to preside at or conduct the election.

(2) A person is not subject to any incapacity to vote at a Senedd election by reason of being or acting as returning officer at that election.

Payments by and to returning officer

23.—(1) A returning officer is entitled to recover their charges in respect of expenses incurred for, or in connection with, a Senedd election where such expenses were necessarily incurred, for the efficient and effective conduct of the election.

(2) A returning officer is entitled to recover, on behalf of electoral administrators, charges in respect of services rendered for, or in connection with, a Senedd election where such charges were necessarily incurred for the efficient and effective conduct of the election.

(3) For the purpose of paragraph (2), the “electoral administrators” include—

- (a) a returning officer appointed under article 18,
- (b) a deputy returning officer appointed under article 20, and
- (c) officers of councils responsible for the carrying out of functions related to a Senedd election under article 19.

(4) The Welsh Ministers must, by order—

- (a) specify the maximum amount that is recoverable for charges under paragraphs (1) and (2),
- (b) provide a method of calculating the maximum amount that those charges may not exceed,
- (c) specify, or provide a method for calculating, the maximum amounts recoverable for services or expenses of particular types, and
- (d) make provision as to the time when, and the manner and form in which, accounts are to be submitted to the Welsh Ministers for payment of such charges.

(5) A returning officer may not recover more than any maximum amount set by an order under paragraph (4), unless the Welsh Ministers are satisfied that it was reasonable for that returning officer to render the services or incur the expenses, and that the charges are reasonable.

(6) An order under paragraph (4) may—

- (a) make different provision for different cases, circumstances or areas,
- (b) vary, amend or revoke any previous such regulations and orders, and
- (c) contain such incidental, supplemental, saving or transitional provisions,

as the Welsh Ministers may determine.

(7) Subject to paragraph (9), any sums recoverable in accordance with this article are to be charged on, and paid out of, the Welsh Consolidated Fund on an account being submitted to the Welsh Ministers.

(8) Where the superannuation contributions required to be paid by a local authority in respect of any person are increased by any fee paid under this article as part of a returning officer's charges at a Senedd election, then on an account being submitted to the Welsh Ministers, a sum equal to the increase must be charged on, and paid out of, the Welsh Consolidated Fund to the authority.

(9) The Welsh Ministers may, if they think fit, apply for an account to be assessed in accordance with article 24 before making any payment under this article.

(10) On a request by a returning officer for an advance on account of charges, the Welsh Ministers may, on such terms as they think fit, make such an advance.

(11) The power to make orders under paragraph (4) is exercisable by statutory instrument, and for the purpose of section 1 of the Statutory Instruments Act

1946(1), this provision has effect as if contained in an Act of the Senedd.

Detailed assessment of returning officer's account

24.—(1) The Welsh Ministers may apply for the account of a returning officer to be assessed.

(2) An application under paragraph (1) must be made to the county court (“the court”).

(3) On receipt of such an application, the court has jurisdiction to—

- (a) assess the account in such manner and at such time and place as the court thinks fit, and
- (b) determine the amount payable to the returning officer.

(4) The court must notify the returning officer where an application under paragraph (1) is made, and the returning officer may apply to the court to examine the claim made against the returning officer in respect of matters charged in the account.

(5) The court must give the returning officer the opportunity to provide evidence in relation to the claim made against the returning officer, and this evidence may be provided orally and in writing.

(6) On assessing an account, the court must—

- (a) consider any evidence provided by either party,
- (b) allow, disallow or reduce the account, and
- (c) make an order as to the costs of the application.

(7) No right of appeal exists in relation to any determination by the court under this article.

Loan of equipment for Senedd elections

25. Any ballot boxes, fittings and compartments provided by or belonging to a local authority must, on request (if not required for immediate use by that authority), be lent to a returning officer at a Senedd election on such terms and conditions as may be agreed.

Effect of registers

26.—(1) Any entry in the register of electors, if it gives a date as that on which the person named will attain voting age, will, for any purpose of this Part relating to the person as elector, be conclusive that

(1) 1946 c. 36. Section 1 was amended by paragraph 2 of Schedule 12 to the Government of Wales Act 1998 (c. 38) and paragraph 2 of Schedule 10 to the Government of Wales Act 2006 (c. 32).

until the date given in the entry, that person is not of voting age nor entitled to be treated as an elector except for the purposes of a Senedd election at which the date fixed for the poll is that or a later date.

(2) Subject to paragraph (3), a person registered as a local government elector, or entered in the list of proxies, must not be excluded from voting at a Senedd election on any of the grounds set out in paragraph (5).

(3) Paragraph (2) does not prevent the rejection of the vote on a scrutiny, or affect the person's liability to any penalty for voting.

(4) Paragraph (2) does not prevent the rejection of a person's vote if that vote is challenged in accordance with Part 4 of this Order, or affect that person's liability to any penalty for voting.

(5) The grounds referred to in paragraph (2) are that the person—

- (a) is not of voting age,
- (b) is not, or on the relevant date or the date of the person's appointment, was not—
 - (i) a qualifying Commonwealth citizen,
 - (ii) a qualifying foreign citizen,
 - (iii) a citizen of the Republic of Ireland, or
 - (iv) a relevant citizen of the Union, or
- (c) is, or on the relevant date or the date of the person's appointment was, otherwise subject to any other legal incapacity to vote.

(6) In paragraph (5), the “relevant date” means the relevant date for the purposes of section 4 of the 1983 Act⁽¹⁾.

(7) Paragraph (1) applies to an entry in the record of anonymous entries as it applies to an entry in the register of electors.

Effect of misdescription

27. No misnomer or inaccurate description of any person or place named—

- (a) in the register of electors, or
- (b) in any list, record, proxy paper, nomination paper, ballot paper, notice or other document required for the purposes of this Order,

affects the full operation of the document with respect to that person or place in any case where the

(1) Section 4 was amended by section 1(2) of the Representation of the People Act 2000 (c. 2); section 12(1)(a) of the Senedd and Elections (Wales) Act 2020 (anaw 1); section 2(3) of the Local Government and Elections (Wales) Act 2021 (asc 1); and paragraph 2 of Schedule 7 and paragraph 1(2) of Schedule 8 to the Elections Act 2022 (c. 37). There are other amendments to section 4 which are not relevant to this Order.

description of the person or place is such as to be commonly understood.

Discharge of registration duties

28.—(1) Any of the duties and powers of a registration officer under this Order may be performed and exercised by any deputy for the time being approved by the county or county borough council which appointed the registration officer, and the provisions of this Order apply to any such deputy so far as respects any duties or powers to be performed or exercised by the deputy, as they apply to the registration officer.

(2) Any acts authorised or required to be done by, or with respect to, the registration officer under this Order may, in the event of incapacity of that officer to act or of a vacancy, be done by or with respect to the proper officer of the county or county borough council by whom the registration officer was appointed.

(3) A county or county borough council by whom a registration officer is appointed must assign such officers to assist the registration officer as may be required in carrying out the functions of the registration officer under this Order.

(4) When carrying out functions under this Order, a registration officer must comply with any general or specific directions which may be given by the Welsh Ministers under section 52 of the 1983 Act⁽¹⁾ (discharge of registration duties) where those directions have been issued on, and in accordance with, a recommendation of the Electoral Commission.

(5) In relation to paragraph (2), “proper officer” means a proper officer within the meaning of section 270(3) of the Local Government Act 1972⁽²⁾.

Payment of expenses of registration officer

29.—(1) Any expenses properly incurred by a registration officer in the performance of the functions of that officer under this Order (referred to in this Order as “registration expenses”) must be paid by the county or county borough council by whom the registration officer was appointed.

(2) Any fees paid to the registration officer under this Order must be accounted for by that officer and paid to the county or county borough council by whom the registration officer was appointed.

(1) The functions of the Secretary of State in section 52, insofar as they are exercisable within devolved competence, were transferred to the Welsh Ministers by article 45 of, and paragraph 1 of Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(2) 1972 c. 70.

(3) On the request of a registration officer for an advance on account of registration expenses, the county or county borough council by whom the registration officer was appointed may, if it thinks fit, make such an advance to the registration officer of such an amount and subject to such conditions as it may approve.

Personation

30.—(1) A person (“P”) commits an offence of a corrupt practice if P commits, or aids, abets, counsels or procures the commission of, the offence of personation.

(2) P is guilty of personation if P—

- (a) votes in person or by post as some other person, whether as an elector or as proxy, and whether that other person is living or dead or is a fictitious person, or
- (b) votes in person or by post as proxy—
 - (i) for a person who P knows or has reasonable grounds for supposing to be dead or to be a fictitious person, or
 - (ii) when P knows or has reasonable grounds for supposing that their appointment as proxy is no longer in force.

(3) For the purposes of this article, a person who has applied for a ballot paper for the purpose of voting in person or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, is deemed to have voted.

(4) Section 24A of the Police and Criminal Evidence Act 1984⁽¹⁾ (arrest without warrant: other persons) does not permit a person other than a constable to arrest, inside a polling station, a person who commits or is suspected of committing an offence under the preceding provisions of this article.

Other voting offences

31.—(1) A person (“P1”) is guilty of an offence if—

- (a) P1 votes in person or by post, whether as an elector or as proxy, or applies to vote by proxy or by post as elector at a Senedd election, or at Senedd elections, knowing that P1 is subject to a legal incapacity to vote at the election, or at elections of that kind,
- (b) P1 applies for the appointment of a proxy to vote on P1’s behalf at a Senedd election, or at Senedd elections, knowing that P1 or the

(1) 1984 c. 60. Section 24A was amended by section 110(1) of the Serious Organised Crime and Police Act 2005 (c. 15) and section 2 of the Racial and Religious Hatred Act 2006 (c. 1).

person to be appointed is subject to a legal incapacity to vote at the election, or at elections of that kind, or

- (c) P1 votes, whether in person or by post, as proxy for some other person at a Senedd election, knowing that that person is subject to a legal incapacity to vote.

(2) For the purposes of paragraph (1), references to a person being subject to a legal incapacity to vote do not, in relation to things done before polling day at the election or first election at or for which they are done, include the person being below voting age if the person will be of voting age on that day.

(3) A person (“P2”) is guilty of an offence if—

- (a) P2 votes as elector, otherwise than by proxy, either—
 - (i) more than once in the same constituency at any Senedd election,
 - (ii) in more than one constituency at a Senedd election, or
 - (iii) in any constituency at a Senedd election when there is in force an appointment of a person to vote as P2’s proxy at the election in some other constituency,
- (b) P2 votes as elector in person at a Senedd election at which P2 is entitled to vote by post,
- (c) P2 votes as elector in person at a Senedd election, knowing that a person appointed to vote as P2’s proxy at the election either has already voted in person at the election or is entitled to vote by post at the election, or
- (d) P2 applies for a person to be appointed as P2’s proxy to vote for P2 at Senedd elections in any constituency without applying for the cancellation of a previous appointment of a third person then in force in respect of that or another constituency, or without withdrawing a pending application for such an appointment in respect of that or another constituency.

(4) A person (“P3”) is guilty of an offence if—

- (a) P3 votes as proxy for the same elector either—
 - (i) more than once in the same constituency at any Senedd election, or
 - (ii) in more than one constituency at a Senedd election,
- (b) P3 votes in person as proxy for an elector at a Senedd election at which P3 is entitled to vote by post as proxy for that elector, or

(c) P3 votes in person as proxy for an elector at a Senedd election knowing that the elector has already voted in person at the election.

(5) A person (“P4”) is guilty of an offence if P4 votes at a Senedd election in any constituency as proxy for more than two persons of whom P4 is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

(6) A person is guilty of an offence if that person knowingly induces or procures some other person (“P5”) to do an act which is, or but for P5’s want of knowledge would be, an offence by P5 under the previous paragraphs of this article.

(7) Subject to paragraph (8), for the purposes of this article a person who has applied for a ballot paper for the purpose of voting in person, or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, is deemed to have voted.

(8) For the purpose of determining whether an application for a ballot paper constitutes an offence under paragraph (5), a previous application made in circumstances which entitle the applicant only to mark a tendered ballot paper will, if that person does not exercise that right, be disregarded.

(9) A person is not guilty of an offence under paragraph (3)(b) or (4)(b) only by reason of the person having marked a tendered ballot paper in pursuance of rule 50 of Schedule 5.

(10) A person found guilty of an offence under this article is guilty of an offence of illegal practice, but—

- (a) the court before whom a person is convicted of any such offence may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by virtue of article 124, and
- (b) a candidate will not be liable, nor will the candidate’s election be avoided, for an illegal practice under this article by any agent of the candidate’s other than an offence under paragraph (6).

Breach of official duty

32.—(1) If a person to whom this article applies is, without reasonable cause, guilty of any act or omission in breach of that person’s official duty, that person is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) No person to whom this article applies will be liable to any penalty at common law for breach of that person’s official duty, and no action for damages will lie in respect of the breach by such a person of that person’s official duty.

- (3) The persons to whom this article applies are—
- (a) any registration officer, returning officer or presiding officer,
 - (b) any other person whose duty it is to be responsible after a Senedd election for the used ballot papers and other documents, including returns and declarations as to expenses,
 - (c) any official designated by a universal service provider, and
 - (d) any deputy of a person mentioned in any of sub-paragraphs (a) to (c), or any person appointed to assist or in the course of that person's employment assisting a person so mentioned in connection with that person's official duties.

(4) Where—

- (a) a returning officer for a Senedd election is guilty of an act or omission in breach of the returning officer's official duty, but
- (b) the returning officer remedies that act or omission in full by taking steps under article 21(1),

the returning officer will not be guilty of an offence under paragraph (1).

(5) Paragraph (4) does not affect any conviction which takes place, or any penalty which is imposed, before the date on which the act or omission is remedied in full.

(6) For the purposes of this article, "official duty" will not include duties imposed otherwise than by the law relating to Senedd elections or the registration of local government electors.

Tampering with nomination papers, ballot papers etc.

33.—(1) A person is guilty of an offence if, at a Senedd election, that person—

- (a) fraudulently defaces or fraudulently destroys any nomination paper, home address form or consent to nomination,
- (b) fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper, or postal voting statement or official envelope used in connection with voting by post,
- (c) without due authority supplies any ballot paper to any person,
- (d) fraudulently puts into any ballot box, any paper other than the ballot paper which that person is authorised by law to put in the box,

- (e) fraudulently takes out of the polling station any ballot paper,
- (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election, or
- (g) fraudulently or without due authority, attempts to do any of the acts described in sub-paragraphs (a) to (f).

(2) Paragraph (3) applies to—

- (a) a returning officer,
- (b) a presiding officer, and
- (c) a person appointed to assist in—
 - (i) taking the poll,
 - (ii) counting the votes, or
 - (iii) proceedings in connection with the issue or receipt of postal ballot papers.

(3) If a person to whom this paragraph applies is guilty of an offence under this article, that person is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, or to imprisonment for a term not exceeding 6 months, or to both, or
- (b) on conviction on indictment to a fine, or to imprisonment for a term not exceeding 2 years, or to both.

(4) If any other person is guilty of an offence under this article that person is liable on summary conviction to—

- (a) a fine not exceeding level 5 on the standard scale, or
- (b) imprisonment for a term not exceeding 6 months, or to both.

(5) In relation to an offence committed after the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in paragraphs (3)(a) and (4)(b) to 6 months is to be taken to be a reference to 51 weeks.

False statements in nomination papers etc.

34.—(1) A person (“P1”) is guilty of a corrupt practice if, at a Senedd election, P1 causes or permits to be included in a document delivered or otherwise given to a returning officer for use in connection with the election—

- (a) a statement of the name or home address of a candidate at the election which P1 knows to be false,

- (b) anything which purports to be the signature of a person who subscribes a nomination paper but which P1 knows—
 - (i) was not written by the person by whom it purports to have been written, or
 - (ii) if written by that person, was not written by that person for the purpose of subscribing that nomination paper, or
- (c) a certificate under rule 7 of Schedule 5 (party nomination paper: name or description of registered political party) authorising the use by a registered political party of a description, if P1 knows that a candidate on that party's list of candidates is also an individual candidate or a party list candidate for another registered political party at that Senedd election.

(2) A person ("P2") is guilty of a corrupt practice if, in the case of an individual candidate, P2 makes in any document in which P2 gives consent to nomination as a candidate—

- (a) a statement of P2's date of birth,
- (b) a statement as to P2's qualification for membership of the Senedd,
- (c) a statement that P2 is not—
 - (i) an individual candidate in any other Senedd constituency, or
 - (ii) a party list candidate in any Senedd constituency,
 the poll for which is to be held on the same day as the poll at the election to which the consent relates,
- (d) a statement as to P2's party membership, or
- (e) a statement as to the Senedd constituency in which P2 is registered as a local government elector,

which P2 knows to be false.

(3) A person ("P3") is guilty of a corrupt practice if, in the case of a party list candidate at a Senedd election, P3 makes in any document in which P3 gives consent to nomination as a candidate—

- (a) a statement of P3's date of birth,
- (b) a statement as to P3's qualification for membership of the Senedd,
- (c) a statement that P3 is not—
 - (i) an individual candidate in any Senedd constituency, or
 - (ii) a candidate on any other party list submitted in respect of any Senedd constituency,

the poll for which is to be held on the same day as the poll at the election to which the consent relates,

- (d) a statement as to P3's party membership, or
- (e) a statement as to the Senedd constituency in which P3 is registered as a local government elector,

which P3 knows to be false.

(4) For the purposes of paragraphs (2) and (3), a statement as to the candidate's qualification is a statement that to the best of their knowledge and belief they are not disqualified from being elected under section 16(A1) of the 2006 Act⁽¹⁾ (disqualification from being member of the Senedd).

(5) For the purposes of paragraphs (2) and (3), a statement as to the candidate's party membership is a statement made in accordance with rule 10 of Schedule 5 (statements of party membership).

Requirement of secrecy

35.—(1) Except where authorised by law, the following persons must maintain, and aid in maintaining, the secrecy of voting in relation to the information described in paragraph (2) until the close of the poll—

- (a) a returning officer or a member of staff of a returning officer,
- (b) a presiding officer or clerk appointed under rule 35 of Schedule 5,
- (c) a candidate, election agent or polling agent, or
- (d) any person attending by virtue of any of sections 6A to 6D of the 2000 Act⁽²⁾.

(2) The information to which paragraph (1) refers is—

- (a) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station,
- (b) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station, or
- (c) the official mark on any ballot paper.

(1) 2006 c. 32. Section 16(A1) was inserted by section 29(2) of the Senedd and Elections (Wales) Act 2020 (anaw 1).

(2) Sections 6A to 6D were inserted by section 29 of the Electoral Administration Act 2006 (c. 22). Section 6A was amended by paragraph 10 of Schedule 10 to Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 3 of Schedule 6 to the Recall of MPs Act 2015 (c. 25) and S.I. 2007/1388. Section 6C was amended by paragraph 5 of Schedule 2 to the Senedd and Elections (Wales) Act 2020 (anaw 1). Section 6D was amended by paragraph 6 of Schedule 2 to the Senedd and Elections (Wales) Act 2020.

(3) Every person attending at the counting of the votes must maintain and aid in maintaining the secrecy of voting and must not—

- (a) ascertain, or attempt to ascertain, at the counting of votes the number or other unique identifying mark on the back of any ballot paper, or
- (b) communicate any information obtained at the counting of votes as to how any vote is given on any particular ballot paper.

(4) No person may—

- (a) interfere with, or attempt to interfere with, a voter when they are giving their vote,
- (b) otherwise obtain, or attempt to obtain, in a polling station information as to how a voter in that station is about to vote or has voted,
- (c) communicate at any time to any person any information obtained in a polling station as to how a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of a ballot paper given to a voter at that station, or
- (d) directly or indirectly induce a voter to display a ballot paper after the voter has marked it so as to make known to any person how the voter has or has not voted.

(5) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post must maintain and aid in maintaining the secrecy of the voting and must not—

- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark,
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person,
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper, or
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers how any vote is given on any particular ballot paper, or communicate any information obtained at those proceedings in that regard.

(6) No person having undertaken to assist a voter with disabilities may communicate at any time to any

person any information as to how that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.

(7) If a person acts in contravention of this article that person is liable on summary conviction to—

- (a) a fine not exceeding level 5 on the standard scale, or
- (b) imprisonment for a term not exceeding 6 months.

(8) In relation to an offence committed after the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in paragraph (7) to 6 months must be taken to be a reference to 51 weeks.

Prohibition on publication of exit polls

36.—(1) Before the poll is closed no person may publish—

- (a) any statement relating to the way in which voters have voted at the election where that statement is, or might reasonably be taken to be, based on information given by voters after they have voted, or
- (b) any forecast as to the result of the election which is, or might reasonably be taken to be, based on information so given.

(2) A person who acts in contravention of paragraph (1) is liable on summary conviction to—

- (a) a fine not exceeding level 5 on the standard scale, or
- (b) imprisonment for a term not exceeding 6 months.

(3) In relation to an offence committed after the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in paragraph (2) to 6 months must be taken to be a reference to 51 weeks.

(4) In this article—

“forecast” (“*rhagolwg*”) includes estimate,

“publish” (“*cyhoeddi*”) means to make available to the public at large, or any section of the public, in whatever form and by whatever means, and

any reference to the result of an election is a reference to the result of the election either as a whole or so far as any particular candidate or candidates at the election is or are concerned.

PART 3

The election campaign

Interpretation of Part 3

37.—(1) In this Part—

“candidate” (*“ymgeisydd”*) is to be construed in accordance with paragraph (2);

“disputed claim” (*“hawliad y mae anghydfod yn ei gylch”*) has the meaning given by article 52(1) as extended by article 53;

“for the purposes of the candidate's election” (*“at ddibenion ethol yr ymgeisydd”*) means with a view to, or otherwise in connection with, promoting or procuring the candidate's election at the election;

“regulated period” (*“cyfnod rheoleiddiedig”*) has the meaning given by article 49;

“return as to election expenses” (*“ffurflen ynghylch treuliau etholiad”*) means a return (including the bills and receipts to be delivered with it) to be made under article 54.

(2) A person (“P”) becomes a candidate in relation to a Senedd general election—

(a) on the date of the dissolution of the Senedd if on or before that day P is declared, either by P or others, to be a candidate at the election, or

(b) otherwise, the day on which—

(i) P is declared, by P or others, as a candidate at the election, or

(ii) P is nominated as a candidate at the election,

whichever is the earlier.

(3) Matters included as personal expenses are—

(a) travelling expenses;

(b) expenses of living at hotels or elsewhere.

Computation of time for the purposes of Part 3

38.—(1) Where the day or last day on which anything is required or permitted to be done, by or in pursuance of this Part, is an excluded day—

(a) the requirement or permission is deemed to relate instead to the first day after that day that is not an excluded day, and

(b) in computing any period of not more than 7 days for the purposes of this Part, any excluded day is to be disregarded.

(2) For the purposes of paragraph (1), an excluded day is—

(a) a Saturday;

- (b) a Sunday;
- (c) Christmas Eve;
- (d) Christmas Day;
- (e) Good Friday;
- (f) a day that is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971⁽¹⁾;
- (g) a day appointed for public thanksgiving or mourning.

The Election Agent

Appointment of election agent

39.—(1) Not later than the latest time for the publication of the statement of parties and persons nominated (rule 1(1) of Schedule 5)—

- (a) a person must be named by, or on behalf of, each individual candidate as the candidate's election agent, and
- (b) the name and address of the candidate's election agent must be declared in writing by the candidate, or some other person on the candidate's behalf, to the returning officer.

(2) Individual candidates may name themselves as their election agent.

(3) Not later than the latest time for the publication of the statement of parties and persons nominated—

- (a) a person must be named by, or on behalf of, each registered political party submitting a party list as the election agent for that party in relation to that list, and
- (b) the name and address of a party's election agent must be declared in writing, by or on behalf of that party's registered nominating officer, to the returning officer.

(4) A candidate included on a registered political party's party list may be named as election agent for that party in relation to that party list.

(5) Where, in accordance with paragraph (1) or (3), a candidate is named as election agent and the home address form accompanying that candidate's nomination paper contains a statement under rule 8(4) of Schedule 5 that the candidate's home address must not be made public—

- (a) the candidate's home address must not be included in the public notice under paragraph (11), and

⁽¹⁾ 1971 c. 80.

- (b) the information given in the candidate's home address form under rule 8(5) of Schedule 5 must be included in the public notice instead.

(6) Where, in accordance with paragraph (1) or (3), a candidate is named as an election agent and the statement of parties and persons nominated shows commonly used forenames or surnames for that candidate, the public notice under paragraph (11) must show those commonly used forenames or surnames instead of the forenames or surnames stated in the nomination paper in accordance with rules 5(4)(a) and 6(6) of Schedule 5.

(7) Where a candidate is named as an election agent, so far as circumstances permit, that candidate is subject to the provisions of this Order, both as a candidate and as an election agent and, except where the context otherwise requires, any reference in this Order to an election agent will be construed as referring to the candidate acting as an election agent.

- (8) Only one election agent may be appointed for—
 - (a) each individual candidate, and
 - (b) each registered political party that has submitted a party list,

but the appointment, whether the election agent appointed is a candidate or not, may be revoked.

(9) If, whether before, during or after the election, the appointment, or deemed appointment (see article 42(1) or (2)), of an election agent is revoked or an election agent dies, another election agent must be appointed without delay, and the name and address of that agent must be declared in writing to the returning officer.

(10) The declaration as an election agent of a person other than—

- (a) an individual candidate, or
- (b) in relation to a registered political party that has submitted a party list, the candidate whose name appears first on the list,

will be of no effect under this article unless it is made and signed by that person, or is accompanied by a written declaration of acceptance signed by that person.

(11) Subject to paragraphs (5) and (6), upon the name and address of an election agent being declared to the returning officer, the returning officer must immediately give public notice of that name and address.

Nomination of sub-agent

40.—(1) Subject to the provisions of this article, an election agent appointed in accordance with article 39 may appoint one deputy election agent, referred to in

this Order as a sub-agent, to act in any part of the Senedd constituency.

(2) Where a sub-agent is appointed in accordance with paragraph (1)—

- (a) anything done for the purposes of this Order, by or to the sub-agent, will be deemed to be done by or to the election agent,
- (b) any act or default of a sub-agent which, if the sub-agent were the election agent, would be an illegal practice or other offence under this Order, will be an illegal practice or offence under this Order committed by the sub-agent, and the sub-agent will be liable to punishment accordingly, and
- (c) an individual candidate, or each candidate on the registered political party's list, will be subject to the same incapacity as if that act or default had been the election agent's act or default.

(3) Where a registered political party submits a party list of candidates for a constituency election—

- (a) the election agent for those candidates must, if the election agent appoints a sub-agent for any part of the constituency area in the case of any of those candidates, appoint the same person for that part of the constituency in respect of all candidates, and
- (b) any such appointment may only be revoked in respect of all of the candidates.

(4) Not later than the second day before the day of the poll, an election agent must declare in writing to the returning officer the name and address of any sub-agent appointed in accordance with paragraph (1), and the returning officer must immediately give public notice of the name and address of every sub-agent so declared.

(5) The appointment of a sub-agent—

- (a) is not vacated in the event of the election agent who appointed the sub-agent ceasing to be an election agent, but
- (b) may be revoked by whoever is for the time being the election agent.

(6) In the event of the revocation of the appointment or of the death of a sub-agent, another sub-agent may be appointed, and the name and address of that sub-agent must without delay be declared in writing to the returning officer, who must immediately give public notice of the name and address of that sub-agent.

(7) The declaration to be made to a returning officer, and the public notice to be given by the returning officer, under paragraph (4) or (6) must specify the part of the Senedd constituency within which any sub-agent is appointed to act.

Office of election agent and sub-agent

41.—(1) Every election agent and every sub-agent must have an office to which all claims, notices, legal processes and other documents may be sent, and the address of the office must be—

- (a) declared to the returning officer when the appointment of the election agent or sub-agent is declared to the returning officer, and
- (b) stated in the public notice under article 39(11) or 40(4).

(2) Paragraph (3) applies where—

- (a) in accordance with article 39(1) or (3), a candidate is named as election agent,
- (b) the home address form accompanying that candidate's nomination paper contains a statement under rule 8(4) of Schedule 5 that the candidate's home address must not be made public, and
- (c) the office address that is required to be declared under paragraph (1) is also the candidate's home address.

(3) If the candidate, in their capacity as election agent, does not want the office address to be included in the public notice under article 39(11), the candidate must, in addition to declaring the office address, provide the returning officer with another address in England or Wales to be used for correspondence ("a correspondence address").

(4) Where the candidate, in their capacity as election agent, provides a correspondence address under paragraph (3)—

- (a) the office address must not be included in the public notice under article 39(11), and
- (b) the correspondence address must be included instead.

(5) The office of an election agent must be—

- (a) in the Senedd constituency in which the candidate the agent represents is standing or an adjoining Senedd constituency, or
- (b) in a county or county borough which is partly comprised in or adjoins the Senedd constituency in which the candidate the agent represents is standing.

(6) The office of a sub-agent must be in the area within which the sub-agent is appointed to act.

(7) Any claim, notice, legal process or other document delivered at the office of the election agent or sub-agent, or delivered to a correspondence address provided under paragraph (3), and addressed to the election agent or sub-agent, is deemed to have been served on the election agent or sub-agent.

(8) Every election agent or sub-agent may, in respect of any matter connected with the election in which the election agent or sub-agent is acting, be sued in any court having jurisdiction at the place where the election agent's or sub-agent's office is situated.

Effect of default in election agent's appointment

42.—(1) If no person's name and address is given as required by article 39 as the election agent of an individual candidate who remains validly nominated at the latest time for delivery of notices of withdrawal of candidature, the candidate is at that time deemed—

- (a) to have been named as the election agent, and
- (b) to have revoked any appointment of another person as the candidate's election agent.

(2) If no person's name and address is given as required by article 39 as the election agent of a registered political party which has submitted a party list at the latest time for delivery of notices of withdrawal of candidature—

- (a) the candidate whose name appears first on the party's list is at that time deemed to have been named as election agent, and
- (b) any appointment of another person as that party's election agent is deemed to have been revoked.

(3) This paragraph applies if—

- (a) the person whose name and address has been given as the election agent for an individual candidate, not being the candidate, or for a registered political party dies, and
- (b) a new appointment is not made on the day of the death or on the following day.

(4) Where paragraph (3) applies—

- (a) in the case of the death of an election agent for an individual candidate, the candidate is deemed to be appointed as from the time of death, and
- (b) in the case of the death of an election agent for a registered political party that has submitted a party list—
 - (i) the candidate whose name appears first on the list is deemed to have been appointed from the time of death, or
 - (ii) where paragraph (3) applies through the death of such a candidate, the candidate whose name appears next highest on the list is deemed to have been appointed from the time of death.

(5) If the appointment of an election agent is revoked without a new appointment being made—

- (a) in the case of an individual candidate, the candidate is deemed to have been appointed, or re-appointed, as the election agent, and
 - (b) in the case of a registered political party that has submitted a party list, the candidate whose name appears first on that party's list is deemed to have been appointed, or re-appointed, as the election agent.
- (6) The deemed appointment of an election agent may be revoked as if it were an actual appointment.
- (7) Where a candidate is by virtue of this article to be treated as an election agent, the office of the candidate is deemed to be the address as given for that purpose in the candidate's consent to nomination under rule 9 of Schedule 5.
- (8) The returning officer, on being satisfied that a person is by virtue of this article to be treated as an election agent, must immediately give notice as if the name and address of the person and the address of the person's office had been given to the returning officer under articles 39 and 41.

Donation to Candidates

Control of donations to individual candidates

43.—(1) In the case of an individual candidate at a Senedd election, any money or other property provided, whether as a gift or loan—

- (a) by any person other than the candidate or the candidate's election agent, and
- (b) for the purpose of meeting election expenses incurred by or on behalf of the candidate,

must be provided to the candidate or the candidate's election agent.

(2) Paragraph (1) does not apply to any money or other property so provided for the purpose of meeting any expenses which may be lawfully paid by a person other than the candidate or the candidate's election agent.

(3) A person who provides any money or other property in contravention of paragraph (1) is guilty of an illegal practice.

(4) Schedule 6 makes further provision about donations to individual candidates at a Senedd election.

(5) In this article, "property" includes any description of property, and references to the provision of property include the supply of goods.

Individual candidates: payment of expenses by or through election agent

44.—(1) Subject to paragraph (4), no payment is to be made by—

- (a) an individual candidate at a Senedd election, or
- (b) any other person,

in respect of election expenses incurred by or on behalf of the candidate unless it is made by or through the candidate's election agent.

(2) Every payment made by an election agent in respect of any election expenses must, except where less than £20, be evidenced by a bill stating the particulars or by a receipt.

(3) The references in paragraphs (1) and (2) to an election agent are to be taken as references to the election agent acting personally or by a sub-agent.

(4) This article does not apply to—

- (a) any expenses which are paid by the candidate in accordance with article 45(2) or (3) (expenses which may be paid otherwise than by an election agent), 51(9) (expenses paid in pursuance of an order of leave of a court) or 52(4) (expenses paid in relation to a disputed claim),
- (b) any expenses which are paid in accordance with article 45(5) (expenses paid in relation to stationery etc.) by a person authorised as mentioned in that provision,
- (c) any expenses included in a declaration made by the election agent under article 46(2) (expenses incurred otherwise than for election purposes),
- (d) any expenses incurred on account of any matter falling within article 47 (prohibition of expenses not authorised by election agent etc.) by a person authorised as mentioned in that provision, or
- (e) any election expenses which are regarded as incurred by or on behalf of the candidate by virtue of article 48(2).

(5) A person who makes any payment in contravention of paragraph (1) is guilty of an illegal practice.

Individual and party list candidates: expenses which may be paid otherwise than by an election agent

45.—(1) A party list candidate at a Senedd election (“P”) may pay any personal expenses incurred by P on account of or in connection with or incidental to the election, but the amount which P may pay must not

exceed £900, and any further personal expenses incurred by P must be paid by the treasurer of the registered political party on whose party list P is included as a party list candidate.

(2) An individual candidate at a Senedd election (“C”) may pay any personal expenses incurred by C on account of or in connection with or incidental to the election, but the amount which C may pay must not exceed £900, and any further personal expenses incurred by C must be paid by C’s election agent.

(3) C may also pay any election expenses, other than personal expenses falling within paragraph (1), which were incurred by C or on C’s behalf and in respect of which payment falls to be made before the date on which C appoints, or is deemed to have appointed, an election agent.

(4) C must send to the election agent within the time permitted by this Order for sending in claims (see article 51), a written statement of the amount of expenses paid as mentioned in paragraph (2) or (3) by C.

(5) Subject to paragraph (6), any person may, if so authorised in writing by C’s election agent, at a Senedd election pay any necessary expenses of stationery, postage, telephonic communication, or any other similar means of communication, and other petty expenses, to a total amount not exceeding that named in the authority.

(6) Any amount to be paid in respect of the matters included within paragraph (5) which is in excess of the amount named in the authority, must be paid by C’s election agent.

(7) A statement of the particulars of payments made under paragraph (5) by any person authorised must be sent to C’s election agent within the time permitted by this Order for sending in claims, and must be evidenced by a bill containing that person’s receipt.

(8) Articles 51 and 52 do not apply to expenses which, in accordance with any provision of this article, are paid otherwise than by C’s election agent.

Individual candidates: expenses incurred other than for election purposes

46.—(1) Articles 44, 51 and 52 do not apply to election expenses—

- (a) which are incurred by or on behalf of an individual candidate otherwise than for the purposes of the candidate’s election, but
- (b) which by virtue of article 65(1) fall to be regarded as election expenses by reason of the property, goods, services or facilities in respect of which they are incurred being used for the purposes of the candidate’s election.

(2) The candidate's election agent must make a declaration of the amount of any election expenses falling within paragraph (1).

Individual candidates: prohibition of expenses not authorised by election agent etc.

47.—(1) During the regulated period, the expenses referred to in paragraph (2) and which are incurred with a view to promoting or procuring an individual candidate's election, may only be incurred by that candidate, their election agent and persons authorised in writing by that candidate or their election agent.

(2) The expenses are those incurred in connection with—

- (a) holding public meetings or organising any public display,
- (b) issuing advertisements, circulars or publications, or
- (c) otherwise presenting to the electors the candidate or the candidate's views or the extent or nature of the candidate's backing or disparaging another individual candidate, or a registered political party or any or all of its party list candidates.

(3) Paragraphs (1) and (2)(c) do not restrict the publication of any matter relating to the election in—

- (a) a newspaper or other periodical,
- (b) a broadcast made by the British Broadcasting Corporation or by Sianel Pedwar Cymru, or
- (c) a programme included in any service licensed under Part 1 or 3 of the Broadcasting Act 1990⁽¹⁾ or Part 1 or 2 of the Broadcasting Act 1996⁽²⁾.

(4) Paragraph (1) does not apply to any expenses incurred by any person—

- (a) which do not exceed the permitted sum, and which are not incurred by that person as part of a concerted plan of action, or
- (b) in travelling or living away from home, or similar personal expenses.

(5) For the purposes of paragraph (4)(a)—

- (a) expenses will be regarded as incurred by a person "as part of a concerted plan of action" if they are incurred by that person in pursuance of any plan or other arrangement whereby that person and one or more other persons are to incur, with a view to promoting or procuring the election of the same

(1) 1990 c. 42.

(2) 1996 c. 55.

candidate, expenses which, disregarding paragraph (4)(a), fall within paragraph (1), and

(b) “the permitted sum” is £1000.

(6) Where a person incurs any expenses in respect of an individual candidate which are required by this article to be authorised by the candidate or the election agent—

(a) that person must, within 21 days after the day on which the result of the election is declared, deliver to the returning officer a return setting out—

(i) the amount of the expenses;

(ii) the constituency in respect of which the expenses were incurred;

(iii) the individual candidate in whose support the expenses were incurred, and

(b) the return must be accompanied by a declaration made by that person, or, in the case of an association or body of persons, by a director, general manager, secretary or other similar officer of the association or body, verifying the return and giving particulars of the matters for which the expenses were incurred.

(7) Paragraph (6) does not apply to any person engaged or employed for payment or promise of payment by an individual candidate or an individual candidate’s election agent.

(8) The return and declaration required by paragraph (6) must be in forms 25 and 26 set out in Welsh and English in Schedule 10, and the authority received from the candidate or the election agent must be annexed to and is deemed to be part of the return.

(9) The returning officer must forward to the relevant registration officer every document submitted in pursuance of paragraph (6), and rule 70(1) of Schedule 5 (destruction of documents) applies to any document sent to the relevant registration officer under this paragraph.

(10) A person is guilty of a corrupt practice if that person—

(a) incurs, or aids, abets, counsels or procures any other person to incur, any expenses in contravention of this article, or

(b) knowingly makes the declaration required by paragraph (6) falsely.

(11) If a person fails to deliver or send any declaration or return, or a copy of it as required by this article, that person is guilty of an illegal practice.

(12) Where a court before whom a person is convicted under paragraph (10) or (11) thinks it just in

the special circumstances of the case, they may mitigate or entirely remit any incapacity imposed by virtue of article 124.

(13) An individual candidate will not be liable, nor will the candidate's election be avoided, for a corrupt or illegal practice under paragraph (10) or (11) which is committed by an agent without the individual candidate's consent or connivance.

(14) Where any act or omission of an association or body of persons, corporate or unincorporate, is an offence declared to be a corrupt or illegal practice under paragraph (10) or (11), any person ("P") who at the time of the act or omission was a director, general manager, secretary or other similar officer of the association or body, or was purporting to act in that capacity, is deemed to be guilty of that offence, unless P proves—

- (a) that the act or omission took place without P's consent or connivance, and
- (b) that P exercised all such diligence to prevent the commission of the offence as P ought to have exercised, having regard to the nature of P's functions in that capacity and to all the other circumstances.

Individual candidates: limitation of election expenses

48.—(1) The election expenses incurred by or on behalf of an individual candidate at a Senedd election during the regulated period must not exceed the maximum amount specified in paragraph (6).

(2) Paragraph (3) applies, where—

- (a) at any time before the beginning of the regulated period any election expenses are incurred by or on behalf of an individual candidate in respect of any property, services or facilities, and
- (b) the property, services or facilities is or are made use of by or on behalf of the candidate during the regulated period in circumstances that, had these expenses been incurred during that period, they would constitute election expenses in accordance with article 65.

(3) The appropriate proportion of the expenses mentioned in paragraph (2) must be treated for the purposes of this article, article 65 and Schedule 7, as election expenses incurred by or on behalf of the candidate during the regulated period.

(4) For the purposes of paragraph (3), the appropriate proportion of the expenses mentioned in paragraph (2)(a) is such proportion of those expenses as is reasonably attributable to the use made of the

property, services or facilities as mentioned in paragraph (2)(b).

(5) Where any election expenses are incurred in excess of the maximum amount specified in paragraph (6), an individual candidate or election agent is guilty of an illegal practice if they—

- (a) incurred, or authorised the incurring of, the election expenses, and
- (b) knew or ought reasonably to have known that the expenses would be incurred in excess of that maximum amount.

(6) The maximum amount is £52,500.

(7) The maximum amount specified in paragraph (6) for an individual candidate at a Senedd election is not required to include that candidate's personal expenses.

(8) The maximum amount specified in paragraph (6) for an individual candidate will not be affected by the change in the timing of a Senedd election or of any step in the proceedings at a Senedd election.

Individual candidates: the regulated period

49.—(1) In the case of an individual candidate, the regulated period at a Senedd election under—

- (a) section 3 of the 2006 Act⁽¹⁾ (ordinary general elections), or
- (b) section 5 of that Act⁽²⁾ (extraordinary general elections),

begins with the appropriate date and ends with the date of the poll for those elections.

(2) In paragraph (1), “the appropriate date” for an election under section 3 of the 2006 Act means the date which falls 4 months before the date of the poll where—

- (a) the date of the poll is determined by section 3(1) of the 2006 Act;
- (b) no less than 5 months before the day on which the poll would have taken place under section 3(1) of that Act, the date of the poll is brought forward under section 4(1) of that Act⁽³⁾

(1) 2006 c. 32. Section 3 was amended by section 1(1) of the Wales Act 2014 (c. 29); section 6 of the Wales Act 2017 (c. 4); section 36(1) and paragraph 2(19) of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1); paragraph 28 of Schedule 3(3) to the European Union (Withdrawal) Act 2018 (c. 16) and paragraph 19 of Schedule 1 to the Dissolution and Calling of Parliament Act 2022 (c. 11). It is also prospectively amended by section 3(1) of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

(2) Section 5 was amended by paragraph 2 of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1).

(3) Section 4 was substituted by section 6 of the Wales Act 2017 (c. 4).

(power to vary date of ordinary general election);

- (c) no less than 4 months before the day on which the poll would have taken place under section 3(1) of that Act, the date of the poll is postponed under section 4(1) of that Act,

but where the date of the poll is brought forward or postponed otherwise than as mentioned in subparagraph (b) or (c), “the appropriate date” means the date which falls 4 months before the date when the poll would have taken place under section 3(1) of that Act.

(3) In paragraph (1), “the appropriate date” for an election under section 5 of the 2006 Act means the date on which the Presiding Officer of the Senedd proposes a day for the poll for the election under section 5(1) of that Act.

Power to vary provisions concerning election expenses

50.—(1) The Welsh Ministers may by order vary any of the sums to which this article applies—

- (a) where they consider that the variation is expedient in consequence of changes in the value of money, or
- (b) in order to give effect to a recommendation of the Electoral Commission.

(2) This article applies to any of the sums for the time being specified in article 44(2), 45(1) and (2), 47(5)(b) or 48(6).

(3) The power to make an order under paragraph (1) is exercisable by statutory instrument.

(4) A statutory instrument containing an order under paragraph (1) is subject to annulment in pursuance of a resolution of the Senedd, and for the purpose of section 1 of the Statutory Instruments Act 1946 this provision has effect as if contained in an Act of the Senedd.

Time for sending in and paying claims

51.—(1) Every claim against an individual candidate or an individual candidate’s election agent in respect of election expenses which is not sent in to the election agent within 21 days after the day on which the result or results of the election are declared, will be barred and not paid.

(2) All election expenses must be paid not later than 28 days after the deadline for submitting claims under paragraph (1).

(3) Any person who pays a claim in contravention of paragraph (1), or makes a payment in contravention of paragraph (2), is guilty of an illegal practice.

(4) Where the election court reports that it has been proved to the court that any payment made in contravention of paragraph (1) was by an election agent without the consent or connivance of the individual candidate—

- (a) the candidate's election will not be avoided, and
- (b) the candidate will not be subject to any incapacity under this Order by reason only of that payment having been made in contravention of this article.

(5) A relevant person may apply either to the High Court or to the county court for leave to pay a claim for any election expenses which would otherwise be barred by paragraph (1) on either of the grounds set out in paragraph (6).

(6) The grounds are—

- (a) the claim was sent in after the period of 21 days, or
- (b) the claim was sent in to an individual candidate and not to the election agent.

(7) For the purposes of paragraphs (5) and (8), a relevant person is—

- (a) a claimant,
- (b) an individual candidate, or
- (c) an individual candidate's election agent.

(8) Where a relevant person applies to a court under paragraph (5), the court may, by order, grant leave for the claim to be paid where they are satisfied there is cause to do so.

(9) Any sum specified in the order of leave under paragraph (8) may be paid by an individual candidate or the candidate's election agent, and when paid in pursuance of the leave will not be deemed to be in contravention of paragraph (2).

Disputed claims

52.—(1) If an election agent of an individual candidate disputes any claim sent in within the period of 21 days mentioned in article 51(1), or refuses or fails to pay the claim within the period of 28 days mentioned in article 51(2), the claim will be deemed to be a disputed claim.

(2) The claimant may, if the claimant thinks fit, bring an action for a disputed claim.

(3) Article 51(5) to (9) applies in relation to a disputed claim as it applies in relation to a claim for election expenses sent in after the period of 21 days.

(4) Any sum paid by an individual candidate or the candidate's agent in pursuance of the judgement or

order of the court will not be deemed to be in contravention of article 44(1) or 51(2).

Election agent's claim

53. So far as circumstances permit, this Order applies to any claim made by the election agent of an individual candidate for that agent's remuneration and to its payment as if the agent were any other creditor, and if any difference arises about the amount of the claim, the claim will be a disputed claim within the meaning of this Order and will be dealt with in accordance with article 52.

Individual candidates: return as to election expenses

54.—(1) Within 35 days after the day on which the result or results of a Senedd election are declared, the election agent of every individual candidate at the election must deliver to the returning officer a true return as respects that candidate containing—

- (a) a statement of all election expenses incurred by or on behalf of the candidate, and
- (b) a statement of all payments made for the purposes of the candidate's election, together with all bills or receipts relating to the payments.

(2) A return under this article must—

- (a) specify the poll by virtue of which the return is required,
- (b) specify the names of both the individual candidate to whom the return relates, and the candidate's election agent, and
- (c) deal, under a separate heading, with any expenses in respect of which a return is required by virtue of article 47(6).

(3) The return must also contain as respects that candidate—

- (a) a statement relating to any other expenses in connection with which provision is made by this Part as the Electoral Commission provides for in regulations,
- (b) a statement relating to any claims, whether paid, unpaid or disputed, in connection with the election expenses or the other expenses mentioned in sub-paragraph (a) as the Electoral Commission so provide, and
- (c) a statement relating to any other matters that the Electoral Commission may provide for in regulations.

(4) Until the coming into force of the first regulations made by the Electoral Commission under

paragraph (3), the return must also contain as respects that candidate—

- (a) a statement of all payments made—
 - (i) by the candidate in accordance with article 45(2) or (3), or
 - (ii) by any other person in accordance with article 45(5),together with all bills or receipts relating to the payments made;
- (b) a statement of all disputed claims of which the election agent is aware;
- (c) a statement of all the unpaid claims, if any, of which the election agent is aware, in respect of which an application has been or is about to be made to the High Court or county court;
- (d) any declarations of value falling to be made by the individual candidate's election agent by virtue of article 46(2) or 66(3);
- (e) a declaration of the amount of expenses which are to be regarded as election expenses incurred by or on behalf of the individual candidate by virtue of article 65(3);
- (f) a statement of donations made to the individual candidate or the candidate's election agent which complies with the requirements of paragraphs 11 and 12 of Schedule 6;
- (g) a statement of the amount of money, if any, provided by the individual candidate from the candidate's own resources for the purpose of meeting election expenses incurred by the candidate or on the candidate's behalf.

(5) Paragraph (6) applies where, after the date on which the return as to election expenses is delivered, leave is given by the court under article 51(8) for any claims to be paid.

(6) The individual candidate or, as the case may be, the candidate's election agent must, within 7 days after their payment, deliver to the returning officer a return of the sums paid in pursuance of the leave accompanied by a copy of the order of the court giving the leave, and in default the candidate will be deemed to have failed to comply with the requirements of this article without an authorised excuse as is mentioned in article 60.

(7) Any regulations under paragraph (3) may make different provision for different purposes and may contain any incidental, supplemental, saving or transitional provisions that the Electoral Commission thinks fit.

(8) The Electoral Commission may, by regulations, prescribe a form of return which may be used for the

purposes of making any, or any descriptions of, return required by this article.

Individual candidates: declaration as to election expenses

55.—(1) Each return delivered under article 54(1) must be accompanied by a declaration made by the individual candidate's election agent in form 27 set out in Welsh and English in Schedule 10.

(2) At the same time as the election agent delivers that return, or within 7 days of the return being delivered, each individual candidate must deliver to the returning officer a declaration made by the candidate in form 28 set out in Welsh and English in Schedule 10.

(3) Where an individual candidate is out of the United Kingdom when the return is delivered—

- (a) the declaration required by paragraph (2) may be made by the candidate within 14 days after the candidate's return to the United Kingdom, and
- (b) in that case, the declaration must be immediately delivered to the returning officer.

(4) The delay in making the declaration authorised by paragraph (3) will not exonerate the election agent from complying with the provisions of this Order relating to the return and declaration as to election expenses.

(5) Where an individual candidate is also acting as election agent, the declaration by the election agent as to the election expenses need not be made and the declaration by the individual candidate as to election expenses must be modified as specified in form 28 set out in Welsh and English in Schedule 10.

(6) An individual candidate or election agent who knowingly makes the declaration required by this article falsely is guilty of a corrupt practice.

Party list candidates: declarations as to personal expenses

56.—(1) Within 35 days after the day on which the result or results of a Senedd election are declared, each party list candidate must deliver to the returning officer a declaration made by that candidate in form 29 set out in Welsh and English in Schedule 10.

(2) Where a party list candidate is out of the United Kingdom when the return is due to be delivered—

- (a) the declaration required by paragraph (1) may be made by the candidate no later than 14 days after the candidate's return to the United Kingdom, and

- (b) in that case, the declaration must immediately be delivered to the returning officer.

(3) The declaration required by paragraph (1) must include only those personal expenses incurred by a party list candidate which have not been reimbursed to the candidate by the registered political party on whose party list the candidate was included.

(4) A person who knowingly makes the declaration required by this article falsely is guilty of a corrupt practice.

Circumstances in which no return or declaration is required

57. Notwithstanding anything in article 54, 55 or 56, no return or declaration as to election expenses is required in the case of a person—

- (a) who is a candidate at a Senedd election, but is so only because that person has been declared by others to be a candidate, and
- (b) who has not consented to the declaration or taken any part as a candidate at the election.

Penalty for failure as respects return or declarations

58. Subject to the provisions of article 60, if any candidate or election agent fails to comply with the requirements of article 54, 55 or 56 the candidate or election agent is guilty of an illegal practice.

Penalty for sitting or voting where no return and declarations are delivered etc.

59.—(1) In the case of an individual candidate, if the return and declarations as to election expenses are not delivered within the time permitted by this Order for the purpose, the candidate may not, after the expiry of that time, sit or vote in the Senedd as member for the constituency for which the election was held until—

- (a) that return and those declarations have been delivered, or
- (b) the date of the allowance of an authorised excuse for the failure to deliver that return and those declarations (see article 60).

(2) In the case of a party list candidate, if the candidate's declaration as to personal expenses is not delivered within the time permitted by this Order for the purpose, the candidate may not, after the expiry of that time, sit or vote in the Senedd as member for the constituency for which the election was held until—

- (a) that declaration has been delivered, or

- (b) the date of the allowance of an authorised excuse for the failure to deliver that declaration (see article 60).

(3) If a candidate sits or votes in contravention of paragraph (1) or (2), the candidate must forfeit £100 for every day on which the candidate so sits or votes.

(4) Civil proceedings for a penalty under this article must be commenced within the period of one year beginning with the day in respect of which the penalty is alleged to have been incurred.

(5) For the purpose of paragraph (4)—

- (a) where the service or execution of legal process on or against the alleged offender is prevented by the absconding or concealment or act of the alleged offender, the issue of legal process will be deemed to be the commencement of the proceeding, but
- (b) where sub-paragraph (a) does not apply, the service or execution of legal process on or against the alleged offender, and not its issue, will be deemed to be the commencement of the proceeding.

Authorised excuses for failures as to return and declarations

60.—(1) A candidate or an election agent may apply for relief under this article to the High Court, an election court or a county court.

(2) Where an application is made under this article, the person or persons making the application must notify the Director of Public Prosecutions of the application, and the Director or the Director's assistant or any barrister, advocate or solicitor duly appointed as the Director's representative, may attend the hearing of the application and make representations at the hearing in respect of it.

(3) Relief under this article may be granted—

- (a) to an individual candidate, in respect of any failure to deliver the return and declaration as to election expenses, or any part of them, or in respect of any error or false statement in them,
- (b) to an election agent of an individual candidate, in respect of any failure to deliver the return and declaration as to election expenses which the agent was required to deliver, or any part of them or in respect of any error or false statement in them, or
- (c) to a party list candidate, in respect of any failure to deliver the declaration as to personal expenses which the candidate is required to deliver, or in respect of any error or false statement in the declaration.

(4) The application for relief may be made on the ground that the failure, error or false statement arose—

- (a) by reason of the applicant's illness;
- (b) where the applicant is an individual candidate, by reason of the absence, death, illness or misconduct—
 - (i) of the applicant's election agent or sub-agent, or
 - (ii) of any clerk or officer of the applicant's election agent or sub-agent;
- (c) where the applicant is an election agent—
 - (i) by reason of the death or illness of any prior election agent of the candidate, or
 - (ii) by reason of the absence, death, illness or misconduct of any sub-agent, clerk or officer of any election agent of the candidate;
- (d) by reason of inadvertence or any reasonable cause of a like nature,

and not by reason of any want of good faith on the applicant's part.

(5) Subject to paragraph (6), the court may make such order for allowing an authorised excuse for the failure, error or false statement as it considers just.

(6) The court may only make an order under paragraph (5)—

- (a) after the giving of such notice of the application in the Senedd constituency for which the election was held, as it considers fit, and
- (b) on production of such evidence of the grounds stated in the application and of the good faith of the application, and otherwise, as it considers fit.

(7) The court must relieve the candidate from the consequences of the act or omission of the candidate's election agent where it is proved to the court by a candidate—

- (a) that any act or omission of the election agent in relation to the return or declarations was without the consent or connivance of the candidate, and
- (b) that the candidate took all reasonable means for preventing the act or omission.

(8) An order under paragraph (5) may make the allowance conditional on the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as the court considers most likely to give effect to the requirements of this Part.

(9) An order under paragraph (5) will relieve the applicant for the order from any liability or consequences under this Order in respect of the matter excused by the order.

(10) The date of the order, or if conditions and terms are to be complied with, the date at which the applicant fully complies with them, is referred to in this Order as “the date of the allowance of an authorised excuse”.

Court’s power to require information from election agent or sub-agent

61.—(1) Where on an application under article 60 it appears to the court that any person who is or has been an election agent or sub-agent has—

- (a) refused or failed to make a return or declaration as to election expenses, or
- (b) refused or failed to supply the particulars that would enable a person to comply with the provisions of this Order as to the return or declarations as to election expenses,

the court must, before making an order under that article, order that person to attend before the court.

(2) The court must on the attendance of that person, unless that person shows cause to the contrary, order that person—

- (a) to make the return and declaration, or
- (b) to deliver a statement of the particulars required to be contained in the return,

as the court considers just, within a timeframe, to any person and in the manner as it may direct, or may order that person to be examined with respect to the particulars.

(3) If a person fails to comply with any order of the court under this article, the court may order that person to pay a fine.

Duty of returning officer to forward returns and declarations to the Electoral Commission

62. Where the returning officer receives any return or declaration under article 47, 54, 55 or 56, the returning officer must as soon as reasonably practicable after receiving the return or declaration, deliver a copy of it to the Electoral Commission and, if so requested by the Electoral Commission, the returning officer must also deliver to them a copy of any accompanying documents.

Publication of time and place of inspection of returns and declarations

63.—(1) At a Senedd election, within 10 days after the end of the time allowed for delivering to the

returning officer returns and declarations as to election expenses, the returning officer must—

- (a) publish in a manner that the returning officer thinks fit, and
- (b) send to each of the election agents,

a notice of the time and place at which the returns and declarations, including the accompanying documents, can be inspected.

(2) If any return or declaration has not been received by the returning officer before the notice under paragraph (1) is despatched for publication, the notice must so state.

(3) If, following the publication of any notice containing the information required by paragraph (2), the returning officer receives a return or declaration, the returning officer must, within 10 days of the receipt of that return or declaration—

- (a) publish a notice that complies with paragraph (1) about that return and declaration, and
- (b) send the notice to the persons to whom the first notice was sent, other than an election agent who is in default or an election agent for a candidate who is in default.

Inspection of returns and declarations

64.—(1) Where the returning officer receives any return or declaration under article 47, 54, 55 or 56, the returning officer must—

- (a) as soon as reasonably practicable after receiving the return or declaration, make a copy of it and any accompanying documents available for public inspection at the returning officer's office, or some other convenient place chosen by the returning officer, for a period of two years beginning with the date when the return or declaration is received, and
- (b) if requested to do so by any person, and on payment of the fee set out in paragraph (3), supply that person with a copy of the return or declaration and any accompanying documents.

(2) Where a return contains a statement of donations in accordance with paragraph 10 of Schedule 6 (statement of relevant donations), the returning officer must take steps to ensure that the address of any individual donor is not included in the copy of the statement—

- (a) made available for public inspection under paragraph (1)(a), or
- (b) supplied under paragraph (1)(b).

(3) The fee payable for a copy of a return, declaration or any accompanying document is 20p for each side of each page.

(4) After the expiry of the two year period set out in paragraph (1)(a), the returning officer—

- (a) may cause those returns and declarations (including the accompanying documents) to be destroyed, or
- (b) if the candidate or where appropriate, the candidate's election agent so requires, must return them to the candidate.

(5) Any returns or declarations delivered under article 47(6) by a person ("P") other than a candidate or the candidate's agent, must be returned to P and not the candidate or the candidate's agent, if P so requires.

(6) The Welsh Ministers may by order vary the amount of the fee payable under paragraph (3).

(7) The power to make orders under paragraph (6) is exercisable by statutory instrument, and for the purpose of section 1 of the Statutory Instruments Act 1946 this provision has effect as if contained in an Act of the Senedd.

Meaning of "election expenses"

65.—(1) In this Part "election expenses", in relation to an individual candidate, means, subject to the definition of "for the purposes of a candidate's election" in article 37(1), and articles 48(2) and 66, any expenses incurred during the regulated period in respect of any matter specified in Part 1 of Schedule 7 which are used for the purposes of the candidate's election.

(2) No election expenses are to be regarded as incurred by virtue of paragraph (1) or article 66 in respect of any matter specified in Part 2 of Schedule 7.

(3) For the purposes of this Part, election expenses are incurred by or on behalf of a candidate at a Senedd election if they are incurred—

- (a) by the candidate or the candidate's election agent, or
- (b) by any person authorised by the candidate or the candidate's election agent to incur the expenses.

(4) In this Part and in Part 4, any reference to promoting or procuring a candidate's election at an election includes doing so by prejudicing the electoral prospects of another candidate or registered political party at the election.

(5) Schedule 7 makes further provision about the election expenses of individual candidates at a Senedd election.

Property, goods, services etc. provided free of charge or at a discount

66.—(1) This article applies where, in the case of an individual candidate at a Senedd election, for the purposes of the candidate's election—

- (a) either—
 - (i) property or goods is or are transferred to the candidate or the candidate's election agent free of charge or at a discount of more than 10% of the market value of the property or goods, or
 - (ii) property, goods, services or facilities is or are provided for the use or benefit of the candidate free of charge or at a discount of more than 10% of the commercial rate for the use of the property or for the provision of the goods, services or facilities, and
- (b) the property, goods, services or facilities is or are made use of by or on behalf of the candidate in circumstances in which, if any expenses were to be, or are actually, incurred by or on behalf of the candidate in respect of that use, they would be, or are, election expenses incurred by or on behalf of the candidate.

(2) For the purposes of paragraph (1)(b), property, goods, services or facilities are made use of on behalf of a candidate only if their use on behalf of the candidate is directed, authorised or encouraged by the candidate or the candidate's election agent.

(3) Where this article applies, and subject to Part 2 of Schedule 7—

- (a) an amount of election expenses determined in accordance with this article ("the appropriate amount") must be treated, for the purposes of this Part, as incurred by the candidate, and
- (b) the candidate or the candidate's election agent must make a declaration of that amount,

unless that amount is not more than £50.

(4) Where paragraph (1)(a)(i) applies, the appropriate amount is the proportion of either—

- (a) the market value of the property or goods, where the property or goods is or are transferred free of charge, or
- (b) the difference between the market value of the property or goods and the amount of expenses actually incurred by or on behalf of the candidate in respect of the property or goods, where the property or goods is or are transferred at a discount,

that is reasonably attributable to the use made of the property or goods as mentioned in paragraph (1)(b).

(5) Where paragraph (1)(a)(ii) applies, the appropriate amount is the proportion of either—

- (a) the commercial rate for the use of the property or the provision of the goods, services or facilities, where the property, goods, services or facilities is or are provided free of charge, or
- (b) the difference between that commercial rate and the amount of expenses actually incurred by or on behalf of the candidate in respect of the use of the property or the provision of the services or facilities, where the property, goods, services or facilities is or are provided at a discount,

that is reasonably attributable to the use made of the property, goods, services or facilities as mentioned in paragraph (1)(b).

(6) Where the services of an employee are made available by the employee's employer for the use or benefit of a candidate for the purposes of the candidate's election, then for the purposes of this article the commercial rate for the provision of those services will be—

- (a) the amount of the remuneration and allowances payable to the employee by the employer in respect of the period for which the employee's services are so made available, but
- (b) that amount will not include any amount in respect of any contributions or other payments for which the employer is liable in respect of the employee.

(7) In this article, "market value", in relation to any property or goods, means the price which might reasonably be expected to be paid for the property or goods on a sale in the open market, and paragraph 2(7)(a) of Schedule 6 will apply with any necessary modifications for the purpose of determining, for the purposes of paragraph (1), whether property or goods is or are transferred to a candidate or the candidate's election agent.

(8) In this article, any reference to anything being transferred or provided to a candidate or the candidate's election agent includes a reference to its being given or transferred either directly or indirectly through any third person.

Publicity at Senedd elections

Right to send election address post free

67.—(1) At a Senedd election, each individual candidate or registered nominating officer of a

registered political party which has submitted a party list at that election, subject to any reasonable terms and conditions as the universal service provider concerned may specify, is entitled to send a maximum of two election communications free of any charge for postage which would otherwise be made by a universal service provider.

(2) The election communications sent under paragraph (1) may be a postal communication which—

- (a) contains only matter relating to the election, and
- (b) does not exceed 60 grammes.

(3) The election communications sent under paragraph (1) may be sent—

- (a) unaddressed to each place in the Senedd constituency for which the election is being held and in which the candidates stand nominated which, in accordance with the terms and conditions of the universal service provider, constitutes a delivery point for the purposes of this article, or
- (b) addressed to each elector.

(4) Any individual candidate or registered nominating officer is also, subject to the condition in paragraph (2), entitled to send, free of any charge for postage as is mentioned in paragraph (1), to each person entered in the list of proxies for the election, two communications for each appointment in respect of which that person is so entered.

(5) Any individual candidate or registered nominating officer may require the returning officer to make arrangements with the universal service provider for communications under paragraph (3)(b) to be sent to persons who have anonymous entries in the register.

(6) Arrangements under paragraph (5) must ensure that it is not disclosed to any other person that the addressee of such a communication has an anonymous entry.

(7) Subject to paragraph (8), in relation to an individual candidate, a person will not be deemed to be a candidate for the purposes of this article unless that person is shown as standing nominated in the statement of parties and persons nominated (see rule 17 of Schedule 5).

(8) Until the publication of the statement of parties and persons nominated, any person who declares themselves to be an individual candidate will be entitled to exercise the right of free postage conferred by this article, if that person gives any security as may be required by the universal service provider concerned for the payment of postage, should that person not be shown as standing nominated as mentioned above.

(9) Subject to paragraph (10), a registered political party will not be deemed to have submitted a party list for the purposes of this article, unless the party is shown as standing nominated in the statement of parties and persons nominated.

(10) Until the publication of the statement of parties and persons nominated, the registered nominating officer of a party which has submitted a party list will be entitled to exercise the right of free postage conferred by this article, if that registered nominating officer gives any security as may be required by the universal service provider, should the party not be shown as standing nominated as mentioned above.

(11) The returning officer is entitled to treat any purported exercise by the registered nominating officer of a registered political party of the right of free postage conferred by this article through the party election agent, as a valid exercise of that right.

(12) A universal service provider who provides a postal service free of charge pursuant to this article is entitled to be remunerated for that service at the rate determined by or in accordance with a scheme made under section 89 of the Postal Services Act 2000⁽¹⁾, and the amount of that remuneration must be paid by the Welsh Ministers.

(13) The sums payable by the Welsh Ministers under paragraph (12) must be charged on the Welsh Consolidated Fund.

(14) For the purposes of this article, “elector”—

- (a) means a person who is registered in the register of electors for the Senedd constituency on the last day for publication of notice of the election, and
- (b) includes a person then shown in that register or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries, as below voting age if, but only if, it appears from the register, or from the record, that that person will be of voting age on the day fixed for the poll.

Broadcasting from outside United Kingdom

68.—(1) No person may, with intent to influence persons to give or refrain from giving their vote at a Senedd election, include, or aid, abet, counsel or procure the inclusion of, any matter relating to the election in any programme service (within the meaning of the Broadcasting Act 1990) provided from a place outside the United Kingdom, otherwise than in pursuance of arrangements made with—

(1) 2000 c. 26. Section 89 was amended by paragraph 23 of Schedule 12 to the Postal Services Act 2011 (c. 5).

- (a) the British Broadcasting Corporation,
- (b) Sianel Pedwar Cymru, or
- (c) the holder of any licence granted by the Office of Communications,

for the reception and re-transmission of that matter by that body or the holder of that licence.

(2) An offence under this article is an illegal practice, but the court before whom a person is convicted of an offence under this article may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by virtue of article 124.

(3) Where any act or omission of an association or body of persons, corporate or unincorporate, is an illegal practice under this article, any person (“P”) who at the time of the act or omission was a director, general manager, secretary or other similar officer of the association or body, or was purporting to act in that capacity, will be deemed to be guilty of the illegal practice, unless P proves—

- (a) that the act or omission took place without P’s consent or connivance, and
- (b) that P exercised all such diligence to prevent the commission of the illegal practice as P ought to have exercised, having regard to the nature of P’s functions in that capacity and to all the circumstances.

Broadcasting of local items during election period

69.—(1) Each broadcasting authority must adopt a code of practice with respect to the participation of candidates at a Senedd election in items about the constituency in question which are included in relevant services during the election period.

(2) The code for the time being adopted by a broadcasting authority under this article must be either—

- (a) a code drawn up by that authority, whether on their own or jointly with one or more other broadcasting authorities, or
- (b) a code drawn up by one or more other such authorities.

(3) A broadcasting authority must from time to time consider whether the code for the time being adopted by them should be replaced by a further code falling within paragraph (2).

(4) Before drawing up a code under this article a broadcasting authority must have regard to any views expressed by the Electoral Commission, and any such code may make different provision for different cases.

(5) The Office of Communications⁽¹⁾ must do all that they can to ensure that the code for the time being adopted by them under this article is observed in the provision of relevant services, and the British Broadcasting Corporation and Sianel Pedwar Cymru must each observe the code so adopted when providing relevant services.

(6) For the purpose of paragraph (1) “the election period” in relation to a Senedd general election, means the period beginning with the date of dissolution of the Senedd and ending with the close of the poll.

(7) In this article—

“broadcasting authority” (*“awdurdod darlledu”*) means the British Broadcasting Corporation, the Office of Communications or Sianel Pedwar Cymru;

“candidate” (*“ymgeisydd”*) means any individual or party list candidate standing nominated;

“relevant services” (*“gwasanaethau perthnasol”*)—

(a) in relation to the British Broadcasting Corporation or Sianel Pedwar Cymru, means services broadcast by that body, and

(b) in relation to the Office of Communications, means services licensed under Part 1 or 3 of the Broadcasting Act 1990 or Part 1 or 2 of the Broadcasting Act 1996.

Imitation poll cards and notifications

70.—(1) A person is guilty of an offence if that person, for the purpose of promoting or procuring a particular result at a Senedd election, issues any poll card or notification or other documents so closely resembling an official poll card or notification as to be calculated to deceive.

(2) Article 68(2) and (3) applies as if an offence under this article were an offence under that article.

Election meetings

Schools and rooms for Senedd election meetings

71.—(1) Subject to the other provisions of this article, an individual or party list candidate at a Senedd election is entitled to the use of, free of charge, and at reasonable times between the last day on which notice of the election may be published in accordance with the table in rule 1(1) of Schedule 5 and the day preceding the date of the poll—

(1) Established under the Office of Communications Act 2002 (c. 11).

- (a) a suitable room in the premises of a school to which this article applies, or
- (b) any meeting room to which this article applies.

(2) The purpose for which an individual candidate may use a room in accordance with paragraph (1) is to hold public meetings to promote or procure the giving of votes at that election to that candidate.

(3) The purpose for which a party list candidate may use a room in accordance with paragraph (1) is to hold public meetings to promote or procure votes at that election for the registered political party on whose list the candidate is included.

(4) Subject to paragraph (5), this article applies to—

- (a) a community, foundation or voluntary aided school the premises of which are situated in the Senedd constituency for which the election is held, or an adjoining Senedd constituency, and
- (b) a meeting room situated in the Senedd constituency for which the election is held, or an adjoining Senedd constituency, the expense of maintaining which is payable wholly or mainly out of public funds or by a body whose expenses are so payable.

(5) A candidate is not entitled under this article to the use of a room in school premises or a meeting room located outside the Senedd constituency if—

- (a) there is a suitable room in premises within the constituency which are reasonably accessible from the same parts of the constituency as those rooms in premises located outside the constituency, and
- (b) those premises are ones to which this article applies.

(6) Where a room is used for a meeting in pursuance of the rights conferred by this article, the person by whom or on whose behalf the meeting is convened—

- (a) must defray any expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting, and
- (b) must defray any damage done to the room or the premises in which it is situated, or the furniture, fittings or apparatus in the room or premises.

(7) A candidate is not entitled to exercise the rights conferred by this article except on reasonable notice, and this article does not authorise any interference with the hours during which a room in school premises is used for education purposes, or any interference with the use of a meeting room either for the purposes

of the person maintaining it or under a prior agreement for its letting for any purpose.

(8) Schedule 8 makes further provision with respect to the rights conferred by this article and the arrangements to be made for their exercise.

(9) For the purposes of this article, except those of paragraph (6)(b), the premises of a school does not include any private dwelling, and in this article—

- (a) “dwelling” includes any part of a building which is occupied separately as a dwelling,
- (b) “meeting room” means any room which it is the practice to let for public meetings, and
- (c) “room” includes a hall, gallery or gymnasium.

Disturbances at Senedd election meetings

72.—(1) A person who at a lawful public meeting to which this article applies acts, or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, is guilty of an illegal practice.

(2) This article applies to a political meeting held in relation to the return of individual or party list candidates in any Senedd constituency during the period beginning with the last day on which notice of election may be published in accordance with the table set out in rule 1(1) of Schedule 5 and ending with the day of the poll.

(3) If a constable reasonably suspects any person (“P”) of committing an offence under paragraph (1), the constable may, if requested so to do by the chairman of the meeting, require P to immediately declare P’s name and address to the constable and, if P refuses or fails to do so, or gives a false name and address, P is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Agency by election officials and canvassing by police officers

Officials not to act for candidates

73.—(1) This article applies to any person who is—

- (a) a returning officer,
- (b) a person appointed under article 20 (returning officers: discharge of functions),
- (c) an officer or clerk appointed under Schedule 5, or
- (d) any partner or clerk of any such person,

unless that person is a candidate.

(2) Any person to whom this article applies who acts as an agent for a candidate or a registered political

party in the conduct or management of a Senedd election, is guilty of an offence.

(3) A person guilty of an offence under this article is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Illegal canvassing by police officers

74.—(1) Subject to paragraph (3), it is an offence for a member of a police force to, by word, message, writing or in any other manner, endeavour to—

- (a) persuade any person to give their vote, or
- (b) dissuade any person from giving their vote,

whether as an elector or a proxy at a Senedd election for a constituency, which falls wholly or partly in the police area.

(2) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) Nothing in paragraph (1) will subject a member of a police force to any penalty for anything done in the discharge of their duty as a member of the force.

False statements as to candidates

75.—(1) Subject to paragraph (2), a person (“P”), or any director of any body or association corporate, is guilty of an illegal practice if P, or that director, makes or publishes any false statement of fact in relation to the personal character or conduct of any candidate—

- (a) before or during a Senedd election, and
- (b) for the purpose of affecting how a vote is given at the election.

(2) P or any director will not be guilty of an illegal practice under paragraph (1) if they can show that they had reasonable grounds for believing, and did believe, the statement to be true.

(3) Except in a case to which paragraph (4) applies, a candidate is not liable, nor will that candidate’s election be avoided, for any illegal practice under paragraph (1) committed—

- (a) in the case of an individual candidate, by the candidate’s agent other than the candidate’s election agent;
- (b) in the case of a party list candidate, by the agent of that party other than its election agent.

(4) This paragraph applies where—

- (a) it can be shown that the candidate, including, in the case of a party list candidate, another candidate on the list, or the election agent has authorised or consented to the committing of the illegal practice by the other agent or has

paid for the circulation of the false statement constituting the illegal practice, or

- (b) an election court finds and reports that the election of the candidate was procured or materially assisted in consequence of the making or publishing of such false statements.

(5) A person making or publishing any false statement of fact as mentioned in this article may be restrained by interim or perpetual injunction by the High Court or county court from any repetition of that false statement or of a false statement of a similar character in relation to the candidate or candidates and, for the purpose of granting an interim injunction, prima facie proof of the falsity of the statement will be sufficient.

(6) Any person who, before or during a Senedd election, knowingly publishes a false statement of the withdrawal of any candidate at the election for the purpose of promoting or procuring a particular result at the election is guilty of an illegal practice.

(7) A candidate will not be liable, nor will that candidate's election be avoided, for any illegal practice under paragraph (6) committed—

- (a) in the case of an individual candidate, by the candidate's agent other than the candidate's election agent;
- (b) in the case of a party list candidate, by the agent of that party, other than its election agent.

Corrupt withdrawal from candidature

76. Any person who corruptly induces or procures any other person to withdraw from being a candidate at a Senedd election, in consideration of any payment or promise of payment, and any person withdrawing in pursuance of the inducement or procurement, is guilty of an illegal payment.

Payments for exhibition of election notices

77.—(1) No payment or contract for payment for the purpose of promoting or procuring a particular result at a Senedd election may be made to an elector or the elector's proxy on account of the exhibition of, or the use of any house, land, building or premises for the exhibition of any address, bill or notice, unless—

- (a) it is the ordinary business of the elector or proxy as an advertising agent to exhibit for payment bills and advertisements, and
- (b) the payment or contract is made in the ordinary course of that business.

(2) If any payment or contract for payment is knowingly made in contravention of this article either before, during or after an election—

- (a) the person making the payment or contract, and
- (b) if that person knew it to be in contravention of this Order, any person receiving the payment or being a party to the contract,

is guilty of an illegal practice.

Printer's name and address on election publications

78.—(1) Subject to paragraph (2), this article applies to any material which can reasonably be regarded as intended to promote or procure a particular result at a Senedd election, whether or not it can be regarded as intended to achieve any other purpose as well.

(2) This article does not apply to material to which section 143 of the 2000 Political Parties Act⁽¹⁾ (details to appear on election material) applies.

(3) Material to which this article applies may only be published—

- (a) in the case of material which is, or is contained in, a document mentioned in paragraph (5), (6) or (7), if it complies with the requirements of the relevant paragraph, or
- (b) in the case of any other material, if it complies with any requirements which must be complied with in relation to the material by virtue of regulations under paragraph (8).

(4) For the purposes of paragraphs (5) to (7), the following details are “the relevant details” in the case of any material falling within paragraph (3)(a)—

- (a) the name and address of the printer of the document,
- (b) the name and address of the promoter of the material, and
- (c) the name and address of any person on behalf of whom the material is being published, and who is not the promoter.

(5) Where the material is a document consisting, or consisting principally, of a single side of printed matter, the relevant details must appear on the face of the document.

(6) Where the material is a printed document other than one to which paragraph (5) applies, the relevant details must appear either on the first or the last page of the document.

(1) Section 143 was amended by section 66 of the Electoral Administration Act 2006 (c. 22) and section 26(11) of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4).

(7) Where the material is an advertisement contained in a newspaper or periodical—

- (a) the name and address of the printer of the newspaper or periodical must appear either on its first or last page, and
- (b) the relevant details specified in paragraph (4)(b) and (c) must be included in the advertisement.

(8) After consulting the Electoral Commission, the Welsh Ministers may make provision by regulations for and in connection with the imposition of requirements as to the inclusion in material falling within paragraph (3)(b) of the following details, namely—

- (a) the name and address of the promoter of the material, and
- (b) the name and address of any person on behalf of whom the material is being published, and who is not the promoter.

(9) Regulations under paragraph (8) may in particular specify—

- (a) the manner and form in which such details must be included in any such material for the purpose of complying with any such requirement;
- (b) circumstances in which—
 - (i) any such requirement does not have to be complied with by any person of any description specified in the regulations, or
 - (ii) a breach of any such requirement by a person of any description so specified is not to result in the commission of an offence under this article by that person or by a person of any other description;
- (c) circumstances in which material is, or is not, to be taken for the purposes of the regulations to be published, or published by a person of any description so specified.

(10) Where any material within paragraph (3)(a) is published in contravention of paragraph (3), then, subject to paragraphs (12) and (13)—

- (a) the promoter of the material,
- (b) any other person by whom the material is so published, and
- (c) the printer of the document,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(11) Where any material falling within paragraph (3)(b) is published in contravention of paragraph (3),

then, subject to regulations made by virtue of paragraph (9)(b) and paragraphs (12) and (13)—

- (a) the promoter of the material, and
- (b) any other person by whom the material is so published,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(12) It will be a defence for a person charged with an offence under this article to prove that—

- (a) the contravention of paragraph (3) arose from circumstances beyond that person's reasonable control, and
- (b) that person took all reasonable steps, and exercised due diligence, to ensure that the contravention would not arise.

(13) Where—

- (a) an individual candidate or the candidate's election agent, or
- (b) a party list candidate or the election agent of the registered political party in relation to that party's list,

would, apart from this paragraph, be guilty of an offence under paragraph (10) or (11), that candidate or agent is instead guilty of an illegal practice.

(14) The power to make regulations under paragraph (8) is—

- (a) exercisable by statutory instrument, and
- (b) subject to annulment in pursuance of a resolution of the Senedd.

(15) For the purposes of section 1 of the Statutory Instruments Act 1946, paragraph (14) has effect as if contained in an Act of the Senedd.

(16) For the purpose of determining whether any material constitutes material falling within the remit of paragraph (1), it is immaterial that it does not expressly mention the name of any candidate.

(17) In this article—

“print” (“*argraffi*”) means print by whatever means;

“the promoter” (“*yr hyrwyddwr*”) in relation to any material to which this article applies, means the person causing the material to be published;

“publish” (“*cyhoeddi*”) means to make available to the public at large, or any section of the public, in whatever form and by whatever means.

Prohibition of paid canvassers

79. If, either before, during or after a Senedd election, a person (“P”) is engaged or employed for

payment or promise of payment as a canvasser for the purpose of promoting or procuring a particular result at the election, both P and the person engaging or employing P are guilty of illegal employment.

Providing money for illegal purposes

80.—(1) Subject to paragraph (2), a person is guilty of an illegal payment where that person knowingly provides money—

- (a) for any payment which is contrary to the provisions of this Order,
- (b) for any expenses incurred in excess of the maximum amount allowed by this Order, or
- (c) for replacing any money expended in any such payment or expenses.

(2) Paragraph (1) does not apply where the payment or the incurring of the expenses may have been previously allowed in pursuance of article 120 (application for relief).

Bribery

81.—(1) A person is guilty of a corrupt practice if that person is guilty of bribery.

(2) A person (“P1”) is guilty of bribery if P1, directly or indirectly—

- (a) gives any money or procures any office—
 - (i) to or for any voter,
 - (ii) to or for any other person on behalf of any voter, or
 - (iii) to or for any other person,
in order to induce any voter to vote or refrain from voting,
- (b) corruptly does any act mentioned in sub-paragraph (a) on account of any voter having voted or refrained from voting, or
- (c) makes any gift or procures any office as mentioned in sub-paragraph (a) to or for any person in order to induce that person to procure, or endeavour to procure, a particular result at a Senedd election or the vote of any voter.

(3) A person (“P2”) is also guilty of bribery if upon, or in consequence of, a gift or the procurement of any office as mentioned in paragraph (2), P2 procures or engages, promises or endeavours to procure a particular result at a Senedd election or the vote of any voter.

(4) For the purposes of paragraph (2)—

- (a) references to giving money include references to giving, lending, agreeing to give or lend,

offering, promising, or promising to procure or endeavour to procure any money or valuable consideration, and

- (b) references to procuring any office include references to giving, procuring, agreeing to give or procure, offering, promising, or promising to procure or to endeavour to procure any office, place or employment.

(5) A person (“P3”) is guilty of bribery if P3—

- (a) advances or pays or causes to be paid any money to or for the use of any other person with the intent that that money or any part of it will be expended in bribery at a Senedd election, or
- (b) knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at a Senedd election.

(6) Paragraphs (2) to (5) will not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses incurred in good faith at or concerning a Senedd election.

(7) A voter is guilty of bribery if before or during a Senedd election that voter, directly or indirectly, receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place or employment for that voter or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting.

(8) A person (“P4”) is guilty of bribery if after a Senedd election P4, directly or indirectly, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.

(9) In this article the expression “voter” includes any person who has or claims to have a right to vote.

Treating

82.—(1) A person is guilty of a corrupt practice if that person is guilty of treating.

(2) A person is guilty of treating if that person corruptly either before, during or after a Senedd election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment or provision to or for any person—

- (a) for the purpose of corruptly influencing that person or any other person to vote or refrain from voting, or
- (b) on account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting.

(3) Every elector or proxy who corruptly accepts or takes any such food, drink, entertainment or provision is also guilty of treating.

(4) In this article a reference to a thing being done by a person includes a reference to a thing being done by or on behalf of that person.

Undue influence

83.—(1) A person is guilty of a corrupt practice if the person is guilty of undue influence.

(2) A person (“P”) is guilty of undue influence if P carries out an activity falling within paragraph (4) for the purpose of—

- (a) inducing or compelling a person to vote in a particular way or to refrain from voting, or
- (b) otherwise impeding or preventing the free exercise of the franchise of an elector or of a proxy for an elector.

(3) A person (“P”) is also guilty of undue influence if P carries out an activity falling within any of subparagraphs (a) to (f) of paragraph (4) on account of—

- (a) a person having voted in a particular way or refrained from voting, or
- (b) P assuming a person to have voted in a particular way or to have refrained from voting.

(4) The following activities fall within this paragraph—

- (a) using or threatening to use violence against a person;
- (b) damaging or destroying, or threatening to damage or destroy, a person's property;
- (c) damaging or threatening to damage a person's reputation;
- (d) causing or threatening to cause financial loss to a person;
- (e) causing spiritual injury to, or placing undue spiritual pressure on, a person;
- (f) doing any other act designed to intimidate a person;
- (g) doing any act designed to deceive a person in relation to the administration of an election.

(5) For the purposes of paragraphs (2) and (3) an activity is carried out by a person (“P”) if it is carried out—

- (a) by P,
- (b) by P jointly with one or more other persons, or
- (c) by one or more other persons on behalf of P and with P's authority or consent.

(6) In paragraph (4)(f) and (g) “act” includes an omission, and references to the doing of an act are to be read accordingly.

Rights of creditors

84. The provisions of this Part prohibiting—

- (a) payments and contracts for payments,
- (b) the payment or incurring of election expenses in excess of the maximum amount allowed by this Order, or
- (c) the incurring of expenses not authorised by an election agent,

do not affect the right of any creditor who, when the contract was made or the expense was incurred, was ignorant of that contract or expense being in contravention of this Order.

Savings as to Senedd election

85.—(1) Where a person has been declared by others to be a candidate at a Senedd election without that person’s consent, nothing in this Part is to be construed to impose any liability on that person, unless that person has afterwards given assent to the declaration or has been nominated.

(2) Subject to paragraph (3), nothing in this Part makes it illegal for an employer to permit electors at Senedd elections or their proxies to absent themselves from the employer’s employment for a reasonable time for the purpose of voting at the poll at a Senedd election without having any deduction from their salaries or wage on account of their absence, if the permission—

- (a) is, so far as practicable without injury to the employer's business, given equally to all persons alike who are at the time in the employer’s employment,
- (b) is not given with a view to inducing any person to vote in a particular way at the election, and
- (c) is not refused to any person for the purpose of preventing that person from voting in a particular way at the election.

(3) Paragraph (2) is not to be construed as making illegal any act which would not be illegal apart from that paragraph.

PART 4

Legal Proceedings

Interpretation of Part 4

86. In this Part—

“the 1960 Rules” (“*Rheolau 1960*”) means the Election Petition Rules 1960(1) as modified by Schedule 9 to this Order. The rules prescribe the process that must be followed in relation to an election petition;

“authorised person” (“*person awdurdodedig*”) means a person (other than a barrister or solicitor) who, for the purposes of the Legal Services Act 2007(2), is an authorised person in relation to an activity which constitutes the exercise of a right of audience (within the meaning of that Act);

“candidate” (“*ymgeisydd*”) has the same meaning as in Part 3 of this Order and the saving provision in article 85(1) applies in relation to this Part as in relation to Part 3;

“costs” (“*costau*”) include charges and expenses;

“Licensing Acts” (“*Deddfau Trwyddedu*”) means the Licensing Act 2003(3) and the acts amending that Act, or the corresponding enactments forming part of the law of Scotland or Northern Ireland;

“parliamentary election petition” (“*deiseb etholiad seneddol*”) means a petition presented in pursuance of Part 3 of the 1983 Act;

“prescribed” (“*rhagnodedig*”) means prescribed by rules of court, in particular the 1960 Rules as modified by Schedule 9 to this Order;

“prescribed officer” (“*swyddog rhagnodedig*”) means the master of the Kings Bench Division who is nominated under section 157(4) of the 1983 Act(4) and will be the prescribed officer in relation to elections under Part 1 of the 2006 Act;

“relevant vacancy” (“*sedd wag berthnasol*”) means when a seat of a member of the Senedd returned from a list submitted by a registered political party is vacant within the circumstances described in section 11 of the 2006 Act(5);

“return” (“*dychwelyd*”) means the return of a member of the Senedd.

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| (1) | S.I. 1960/543. |
| (2) | 2007 c. 29. |
| (3) | 2003 c. 17. |
| (4) | Section 157(4) was amended by paragraph 28(2)(a) of Schedule 11 to the Constitutional Reform Act 2005 (c. 4). |
| (5) | 2006 c. 32. Section 11 was amended by paragraph 2 of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1) and subsequently substituted by section 9(3) of the Senedd Cymru (Members and Elections) Act 2024 (asc 4). |

Method of questioning Senedd election

87.—(1) A Senedd election or return may be questioned only by presenting a petition (“a Senedd election petition”) in accordance with this Part.

(2) A Senedd election petition may complain of an—

- (a) undue election, or
- (b) undue return.

(3) A complaint relating to a relevant vacancy in a constituency falls within the remit of paragraph (2)(b).

(4) A Senedd election petition complaining of no return will be considered by the High Court which may—

- (a) make such order on the petition as they think appropriate for compelling a return to be made, or
- (b) allow the petition to be heard by an election court.

Rules of procedure

88.—(1) Subject to any rules made under paragraph (2), the 1960 Rules have effect in relation to a Senedd election petition, subject to any modifications set out in Schedule 9, as if those rules were made in exercise of the power conferred by paragraph (2).

(2) The authority⁽¹⁾ having the power to make rules for the senior courts of England and Wales may make rules for the purposes of this Part and Part 3 of this Order.

(3) The power to make rules is exercisable by statutory instrument, and for the purpose of section 1 of the Statutory Instruments Act 1946 is to be treated as if contained in an Act of Parliament.

(4) A statutory instrument made under this article is subject to annulment in pursuance of a resolution of either House of Parliament.

Presentation and service of Senedd election petition

89.—(1) A Senedd election petition may be presented by one or more of the following persons—

- (a) a person who voted as an elector at the election or who had a right to vote,
- (b) a person claiming to have had a right to be elected or returned at the election,
- (c) a person alleging to have been a candidate at the election, or

(1) At the time this Order was made, the relevant ‘authority’ is the Civil Procedure Rules Committee as set up under section 2 of the Civil Procedure Act 1997 c. 12.

- (d) a person claiming to have had a right to be returned in respect of a relevant vacancy.
- (2) Paragraph (1)(a) does not include a person who had an anonymous entry in the register of electors.
- (3) The respondent to a Senedd election petition is—
 - (a) the member of the Senedd whose election or return is complained of, or
 - (b) the returning officer where the petition complains of the returning officer's conduct.
- (4) The petition must—
 - (a) be in the prescribed format,
 - (b) state the prescribed matters, and
 - (c) be signed by all petitioners.
- (5) The petition must be presented to the High Court by delivering it to the prescribed officer, or otherwise dealing with it in the prescribed manner.
- (6) The prescribed officer must send a copy of the petition to the returning officer for the Senedd constituency to which the petition relates.
- (7) The returning officer must immediately publish the petition in that constituency.
- (8) The petition must be served in the prescribed manner.

Time for presentation or amendment of Senedd election petition

90.—(1) Subject to the provisions of this article, a Senedd election petition must be presented within 21 days after the day on which the name of any member, whose election or return the petition relates to, has been returned to the Clerk in accordance with Schedule 5 (Senedd election rules).

(2) When a petition questions the election or return due to an allegation of corrupt practice and specifically alleges that, since the time of the return, in pursuance or furtherance of the alleged corrupt practice, a payment of money or other reward has been made—

- (a) by the member whose election or return is being challenged in the petition,
- (b) on the member's behalf, or
- (c) with the member's knowledge,

the petition may be presented within 28 days after the date of the payment.

(3) When a petition questions the election or return due to an allegation of an illegal practice, it may be presented in connection with that illegal practice—

- (a) within 21 days after the day specified in paragraph (4), or
- (b) if the petition specifically alleges that in pursuance or furtherance of the alleged illegal

practice, a payment of money or other act has taken place—

- (i) by the member whose election or return is being challenged in the petition,
- (ii) by that member's agent, or
- (iii) with the knowledge of that member or the member's election agent,

within 28 days after the date of the payment or other act.

(4) The day referred to in paragraph (3)(a) is the tenth day after the end of the time allowed for delivering returns as to election expenses at the election or, if later—

- (a) where that member was an individual candidate, the day on which the returning officer receives the return and declarations as to election expenses by that member and the election agent,
- (b) where that member was a party list candidate, the day on which—
 - (i) the Electoral Commission receives the return and declaration as to election expenses by the treasurer of the registered political party, and
 - (ii) the returning officer receives the declaration as to personal expenses by that member,
- (c) where the return and declarations are received on different days, the last of those days, or
- (d) where there is an authorised excuse for failing to make the return and declarations, the date of the allowance of the authorised excuse, or if there was a failure as regards two or more of them, and the excuse was allowed at different times, the date of the allowance of the last authorised excuse.

(5) A Senedd election petition presented within the time limited by paragraph (1) or (2) may, for the purpose of questioning the election or return upon an allegation of an illegal practice, be amended with the leave of the High Court within the time which a petition may be presented under paragraph (3).

(6) Paragraphs (3) to (5) apply—

- (a) notwithstanding that the act constituting the alleged illegal practice amounted to a corrupt practice, and
- (b) to a corrupt practice under article 47 (individual candidates: prohibition of expenses not authorised by election agent etc), as if it were an illegal practice.

(7) For the purposes of this article, an allegation that an election is avoided under article 117 is to be

deemed to be an allegation of corrupt practice, notwithstanding that the offences alleged are or include offences other than corrupt practices.

Constitution of election court and place of trial

91.—(1) A Senedd election petition must be tried by an election court consisting of two judges on the rota for the trial of parliamentary election petitions.

(2) The judges on the rota must, unless they agree otherwise, try any Senedd election petitions standing for trial according to their seniority.

(3) Subject to the provisions of this Order, the election court has the same powers, jurisdiction and authority as a judge of the High Court and is a court of record.

(4) The place of trial must be within the Senedd constituency for which the election was held, but the High Court may appoint an alternative place for the trial if it is satisfied that special circumstances render it desirable for the Senedd election petition to be tried elsewhere.

(5) The election court may adjourn the trial from one place to another within the Senedd constituency.

Judges' expenses and reception

92. In relation to the trial of a Senedd election petition the following expenses are to be paid out of the Welsh Consolidated Fund—

- (a) the travelling and other expenses of the judges, and
- (b) all expenses properly incurred in providing them with necessary accommodation and with a proper court.

Attendance of shorthand writer

93.—(1) The Senedd must require a shorthand writer to attend the trial of a Senedd election petition.

(2) The shorthand writer must be sworn in by one of the judges of the election court to take down the evidence given at the trial and to transcribe that evidence, or cause it to be transcribed.

(3) The shorthand writer must take down the evidence and transcribe or cause it to be transcribed.

(4) A copy of the evidence must accompany the certificate given by the election court to inform the Senedd.

Security for costs

94.—(1) The petitioner must, at the time of presenting or within 3 days after presenting the Senedd

election petition, give security for all costs which may become payable by them to—

- (a) any witness summoned by the petitioner, or
- (b) any respondent.

(2) On an application by the petitioner, the security must be of the amount directed by the High Court, or a judge of the High Court, and must not exceed £5,000.

(3) The security must be given in the prescribed manner by—

- (a) recognizance entered into by not more than four sureties,
- (b) a deposit of money, or
- (c) a combination of sub-paragraphs (a) and (b).

(4) After giving the security, the petitioner must, within the prescribed time and manner, serve on the respondent and any other prescribed party—

- (a) notice of the petition,
- (b) notice of the amount and nature of the security,
- (c) a copy of the petition, and
- (d) any affidavit accompanying any recognizance.

(5) The respondent may object in writing, in the prescribed manner, to any recognizance on the ground that—

- (a) any surety—
 - (i) is unable to meet the recognizance they have entered into,
 - (ii) is deceased, or
 - (iii) cannot be found or identified due to an insufficient description in the recognizance, or
- (b) that a person named in the recognizance has not acknowledged the recognizance.

(6) Any objection to a recognizance must be decided in the prescribed manner by the court or prescribed officer.

(7) If the objection is allowed, the petitioner may remove it by depositing, in the prescribed manner, a sum of money that will, in the opinion of the court or the prescribed officer, make the security sufficient.

(8) If no security is given, or if any objection is allowed and not removed as set out in paragraph (7), the petition must not proceed.

Petition at issue

95. The Senedd election petition will be at issue—

- (a) when the petitioner gives the security for costs by a deposit of money equal to the

amount of the security required, the time when the security is given, and

- (b) in any other case, whichever of the following happens later—
 - (i) when the time prescribed for the making of objections under article 94(5) expires, or
 - (ii) when an objection is made, the time that objection is disallowed or removed.

List of petitions

96.—(1) The prescribed officer must—

- (a) as soon as practicable, make a list of all Senedd election petitions at issue placing them in the order in which they were presented, and
- (b) keep the list of petitions at their office, which must be open for inspection in the prescribed manner.

(2) The petitions must, so far as convenient, be tried in the order in which they stand in the list.

(3) Where more than one petition is presented relating to the same Senedd election, the petitions must—

- (a) be listed together in the election court list unless otherwise directed by the High Court, and
- (b) be dealt with as one petition standing in the place where the last of them would have stood in the election court list if it had been the only petition presented.

Trial of petition

97.—(1) A Senedd election petition must be tried in open court without a jury.

(2) The prescribed officer must give notice of the time and place of the trial in the prescribed manner, and not less than 14 days before the day of trial.

(3) The trial must, as far as is practicable, be heard on every lawful day until its conclusion, but the election court may adjourn the trial if it is in the interests of justice to do so.

(4) The trial must proceed, notwithstanding a respondent resigning their seat or becoming disqualified from being a Senedd member, such that the seat is vacant.

(5) Unless the court otherwise directs, any charge of corrupt practice may be examined, and evidence in relation to it received, before proof has been provided of agency on behalf of any candidate in respect of the corrupt practice.

(6) When a petition complains of an undue election or return and claims a seat for a person, the respondent may give evidence to prove that person was not duly elected or was incapable of being duly returned in the same manner as if the respondent had presented a petition against the election or return of that person.

(7) When, in relation to a Senedd election petition, it appears that two or more individual candidates or registered political parties have the same seat allocation figure, and that the addition of a vote would entitle any of those individual candidates or any party list candidate of those parties to be declared elected, as provided for in the Senedd election rules, then—

- (a) any decision under the provisions in rule 63 of Schedule 5 will, in so far as it determines the question as to who is elected, be effective also for the purposes of the petition, and
- (b) in so far as that question is not determined by such a decision, the court must decide between the individual candidates or registered political parties by lot, and proceed as if the one on whom the lot then falls had received an additional vote.

(8) For the purposes of this article, “seat allocation figure” is the figure determined in accordance with section 8 of the 2006 Act⁽¹⁾.

Witnesses

98.—(1) Witnesses at the trial of a Senedd election petition must be summoned and sworn in at the trial in the same manner as other actions tried in the High Court.

(2) The election court may, by order, require any person involved in the Senedd election or return to a relevant vacancy to attend the trial as a witness.

(3) Any person refusing to comply with an order issued under paragraph (2) is guilty of contempt of court.

(4) The election court may examine any person required to attend as a witness or who is in court despite that person not being called and examined by any party to the petition.

(5) A witness may, after examination by the court, be cross-examined by or on behalf of the petitioner and a respondent, or either of them.

(6) The Director of Public Prosecutions may—

- (a) without direction from the court, cause any person able to give material evidence to attend the trial, and

(1) Section 8 was substituted by section 8 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

- (b) with leave of the court, examine that person as a witness.

Duty to answer relevant questions

99.—(1) A person called as a witness before an election court will not be excused from answering any question relating to any offence connected with the Senedd election or return on the grounds—

- (a) that the answer to it may incriminate that person or that person's spouse or civil partner, or
- (b) of privilege.

(2) An answer by a person to a question put by or before an election court will not, except in the case of any criminal proceedings for perjury, be admissible in evidence against that person or that person's spouse or civil partner.

Expenses of witnesses

100.—(1) The reasonable expenses incurred by a person in connection with their attendance to give evidence at the trial may be allowed by a certificate of the election court or prescribed officer.

(2) The amount of expenses allowed under paragraph (1) must be in accordance with allowances given to a person who attends a trial of a civil action.

(3) If the witness was called and examined by virtue of article 98(2), the expenses referred to in paragraph (1) must be deemed part of the expenses of providing a court, but otherwise they are deemed costs of the petition.

Conclusion of trial of Senedd election petition

101.—(1) At the conclusion of the trial, the election court must determine whether—

- (a) the Senedd member or members whose election or return is complained of was or were duly elected or returned,
- (b) some other person or persons should have been declared to be elected or returned, or
- (c) the election of all members for that constituency was void.

(2) The determination of the election court will be final as to the matters at issue on the Senedd election petition.

(3) The election court must, immediately, certify in writing the determination to the Presiding Officer of the Senedd.

(4) If the judges constituting the election court differ as to any matter which they are required to determine, they must certify that difference and, except to the

extent that the judges are agreed otherwise, the result of the election will stand.

(5) The election court must make a report to the Presiding Officer of the Senedd when a Senedd election petition claims any corrupt or illegal practice has been committed at a Senedd election as required by articles 110 and 111.

(6) A report required by paragraph (5) must—

- (a) state whether corrupt or illegal practices have, or whether there is reason to believe that such have, extensively prevailed at the election, and
- (b) be sent to the Presiding Officer of the Senedd at the same time as the written determination of trial.

(7) The election court may at the same time make a special report to the Presiding Officer of the Senedd detailing matters that arose during the trial which, in the court's judgement, should be submitted to the Senedd.

(8) Every report sent to the Presiding Officer of the Senedd under this article must be signed by both judges of the election court, and if the judges differ as to the subject of the report, they must certify that difference and make no report on the subject on which they differ.

(9) A certificate or report of an election court provided under this article must be published by the Presiding Officer of the Senedd.

Election determined to be void by election court

102.—(1) When the election court determines the election void, subject to paragraph (3), the Presiding Officer of the Senedd must immediately after receipt of the certificate from the election court—

- (a) fix a date in accordance with paragraph (2) for a poll to be held at another election in the Senedd constituency for which the election is determined to be void, and
- (b) send a notice in accordance with paragraph (4) to the returning officer for the Senedd constituency in which the election was held.

(2) The date fixed must not be later than 3 months after receipt of the certificate from the election court.

(3) An election must not be held if it appears to the Presiding Officer of the Senedd that the latest date which may be fixed for the poll would fall within the period of 3 months preceding a Senedd general election.

(4) A notice under paragraph (1)(b) must—

- (a) state that the election has been determined to be void,

- (b) require that the election is held again for the purpose of returning the members for that Senedd constituency, and
- (c) state the date fixed for the poll at the election.

Special case for determination of High Court

103.—(1) If any party to a Senedd election petition makes an application as prescribed to the High Court, and it appears to the court that the petition can be conveniently stated as a special case, the court may direct the case to be stated as such.

(2) A special case must be heard by the High Court.

(3) The High Court must certify its decision on the special case to the Presiding Officer of the Senedd, who must publish any such certificate received.

(4) If it appears to the election court on the trial of a Senedd election petition that any question of law as to the admissibility of evidence or otherwise requires further consideration by the High Court, the election court may postpone the granting of a certificate until the question has been determined by the High Court, and for this purpose may reserve the question by stating a case for the decision of the High Court.

Withdrawal of petition

104.—(1) A Senedd election petition may only be withdrawn with leave of the election court or High Court on special application.

(2) An application for leave under paragraph (1) must be made in the prescribed manner and at the prescribed time and place.

(3) Where there is more than one petitioner, the application must not be made without the consent of all the petitioners.

(4) If a petition is withdrawn, the petitioner will be liable to pay the costs of a respondent.

Costs of petition

105.—(1) All costs of and incidental to a Senedd election petition and the proceedings consequent on it, except as otherwise provided for by this Order, must be met by the parties to the petition as determined by the election court or High Court.

(2) Costs may be ordered to be paid by the parties who incurred or caused those costs, whether or not they are on the whole successful, when—

- (a) any costs are, in the opinion of the court, caused by vexatious conduct, unfounded allegations, or unfounded objections on the part of either a petitioner or respondent, and

- (b) any unnecessary expenses are incurred or caused on the part of a petitioner or respondent.

Neglect or refusal to pay costs

106.—(1) The High Court may hold in default any person who entered into a recognizance relating to a Senedd election petition where paragraph (2) applies.

(2) This paragraph applies where—

- (a) a petitioner has neglected or refused to pay any costs certified to be paid by the petitioner to—
 - (i) a witness who was summonsed by the petitioner, or
 - (ii) the respondent, and
- (b) the neglect or refusal—
 - (i) has continued for a period of 6 months after the demand, and
 - (ii) has been proved to the satisfaction of the High Court within one year after the demand.

(3) Where this article applies—

- (a) the prescribed officer must immediately certify the recognizance to be forfeited, and
- (b) the matter must be dealt with as if forfeited by the Crown Court.

Further provision as to costs

107.—(1) The election court may, subject to paragraph (2), make an order as to the whole or part of the costs in connection with the trial of a Senedd election petition when it appears—

- (a) that a corrupt practice has not been proved to have been committed in relation to a Senedd election by or with the knowledge and consent of the respondent to the petition, and
- (b) the respondent took all reasonable steps to prevent corrupt practices being committed on the respondent's behalf.

(2) If it is proved that any person or persons, whether by providing money or otherwise, have been extensively engaged in corrupt practices, or have encouraged or promoted extensive corrupt practices in relation to the Senedd election, the court may—

- (a) order the whole or part of the costs to be paid by that person or persons, and
- (b) order that, if the costs cannot be recovered from one or more of those persons, the costs must be paid by some other of those persons or either of the parties to the petition.

(3) Where paragraph (2) applies, a person must be given the opportunity to show cause as to why the costs order should not be made by—

- (a) being legally represented, and
- (b) examining and cross-examining witnesses.

(4) Where any person appears to the election court to have been guilty of a corrupt or illegal practice, the court may order the whole or any part of the costs relating to any proceedings before the court in relation to that offence or to that person, be paid by that person as directed by the court.

(5) Where paragraph (4) applies, a person must be given the opportunity of making a statement to show why the order should not be made.

Appeals

108.—(1) Special leave of the High Court is required before an application may be made to appeal a decision of that court on any question of law, whether on appeal or otherwise, under the previous provisions of this Part.

(2) Where leave to appeal is granted, a decision made by the Court of Appeal will be final and conclusive.

Jurisdiction

109.—(1) Subject to the provisions of this Order, the principles, practice, and rules on which election courts act in dealing with parliamentary election petitions must be observed by the High Court and election court in the case of Senedd election petitions so far as appropriate having regard to the different system of election.

(2) The High Court has, subject to the provisions of this Order, the same powers, jurisdiction, and authority with respect to a Senedd election petition and the proceedings on it as if the petition were an ordinary action within its jurisdiction.

(3) The duties to be performed in relation to Senedd elections by the prescribed officer under this Part will be performed by one or more of the masters of the Senior Court (King's Bench Division) as the Lord Chief Justice may determine.

Report as to a person's guilt of corrupt or illegal practice

110.—(1) Subject to paragraphs (2) and (3), the report of the election court under article 101 must state the names of all persons who have been proved at the trial to have been guilty of any corrupt or illegal practice.

(2) The election court must cause notice to be given to the following persons before they are proved guilty of any corrupt or illegal practice, and their details included in the report in accordance with paragraph (1)—

- (a) a person who is not a party to the Senedd election petition, or
- (b) a person who is not a candidate on behalf of whom the seat is claimed by the Senedd election petition.

(3) When a person appears in pursuance of the notice in accordance with paragraph (2), the election court must provide an opportunity for that person to be heard and allow that person to call evidence to defend why they should not be reported guilty.

(4) The report must be sent to the Director of Public Prosecutions.

(5) This article does not apply where a Senedd election petition relates to a relevant vacancy return.

Report as to candidate's guilt of corrupt or illegal practice

111.—(1) A report of an election court under article 101 must state—

- (a) whether any corrupt or illegal practice has or has not been proved to have been committed by, or with the knowledge and consent of, any candidate at the Senedd election,
- (b) whether any of the candidates have at the Senedd election been guilty, due to the actions of their agents, of any corrupt or illegal practice in relation to the election, and
- (c) the nature of the corrupt or illegal practice.

(2) For the purposes of articles 112 and 113—

- (a) if it is reported that a corrupt practice, other than treating or undue influence, was committed with the knowledge and consent of a candidate, the candidate must be treated as being reported personally guilty of that corrupt practice, and
- (b) if it is reported that an illegal practice was committed with the knowledge and consent of a candidate, the candidate must be treated as being reported personally guilty of that illegal practice.

(3) Where a candidate is reported by the election court of being guilty of treating, undue influence or any illegal practice due to the actions of their agents, that candidate must not be treated for the purposes of article 112 as having been reported guilty of the offences mentioned in the report if the election court reports that the candidate has proved—

- (a) that no corrupt or illegal practice was committed at the election by the candidate or the candidate's election agent, and the offences mentioned in the report were committed contrary to the orders and without the consent or connivance of the candidate or the candidate's election agent,
- (b) that the candidate and the candidate's election agent took all reasonable steps for preventing the commission of corrupt and illegal practices at the election,
- (c) that the offences mentioned in the report were of a trivial, unimportant and limited character, and
- (d) that in all other respects the election was free from any corrupt or illegal practice on the part of the candidate and of the candidate's agents.

(4) References in this article to a candidate, the candidate's agents or the candidate's election agent, will, as appropriate, apply to a party list candidate and the agent or election agent of the registered political party in relation to the list submitted by that party and on which that party list candidate is included.

(5) This article does not apply where a Senedd election petition relates to a relevant vacancy return.

Consequence of a candidate being reported guilty of corrupt or illegal practice

112. When an elected candidate is reported by an election court to be personally guilty or guilty by their agents of any corrupt or illegal practice, that candidate's election will be void.

Incapacities of being reported personally guilty of corrupt or illegal practice

113.—(1) Subject to the provisions of paragraph (2) and article 125, a candidate or other person reported by an election court to be personally guilty of corrupt or illegal practice under this Order will, during the relevant period specified in paragraph (3), be incapable—

- (a) of being registered as an elector or voting at any Senedd or local government election in Wales, or
- (b) of being elected to the Senedd or as a member of a local authority in Wales, and if already elected to a seat in the Senedd or as a member of a local authority in Wales, must vacate the seat or office as from the date of the report.

(2) The incapacities imposed by paragraph (1)(a) apply only to a candidate or other person reported personally guilty of a corrupt practice under article 13(5) or 30 or of an illegal practice under article 31.

(3) For the purpose of paragraph (1), the relevant period is the period beginning with the date of the report and ending—

- (a) in the case of a person reported personally guilty of a corrupt practice, five years after that date, and
- (b) in the case of a person reported personally guilty of an illegal practice, three years after that date.

(4) The provisions of this article as to the consequences of the report that a candidate was guilty by the candidate's agents of a corrupt or illegal practice, have effect subject to the express provisions of this Order relating to particular acts which are declared to be corrupt or illegal practices.

Justice of the peace

114. Where a justice of the peace is reported by an election court to be guilty of any corrupt practice in relation to a Senedd election, the court must report the case, together with such evidence as may have been given of the corrupt practice, to—

- (a) the Lord Chancellor and the Lord Chief Justice, or
- (b) in the case of a justice of the peace for any area in Scotland, to the Secretary of State.

Members of legal and certain other professions

115. Where a barrister, advocate, solicitor, authorised person or any person who belongs to any profession the admission to which is regulated by law, is reported by an election court to have been guilty of any corrupt practice in relation to a Senedd election—

- (a) the court must bring the matter before the Inn of Court, Faculty of Advocates, High Court, tribunal, or other body having power to act upon any misconduct of the person in that profession, and
- (b) the Inn of Court, Faculty of Advocates, High Court, tribunal, or other body may deal with that person as if the corrupt practice were misconduct in that profession.

Holder of licence or certificated under Licensing Acts

116.—(1) If it appears to an election court that a person (“P”), holding a licence or certificate under the Licensing Acts, has knowingly permitted any bribery or treating in relation to any Senedd election to take place on P’s licensed premises, the court must—

- (a) report the fact, after affording P the same rights as are conferred on those about to be reported under article 110(2), and
- (b) bring the report before the licensing authority from whom, or on whose authority, P obtained the licence, and the licensing authority must enter the report in the appropriate register of licences.

(2) The entry of the report in that register must be taken into consideration by the licensing authority when determining whether to grant a renewal of P's licence or certificate and may be a ground for refusing renewal if the authority thinks fit.

Avoidance of election for general corruption

117.—(1) A person's election is void, and that person is incapable of being elected to fill any vacancies for which the election was held if it is shown that—

- (a) an act of corrupt or illegal practice or illegal payment or employment was committed for the purpose of promoting or procuring the election of that person, and
- (b) that act may have affected the election result.

(2) If it is shown that an act referred to in paragraph (1)(a) affects the votes for a registered political party, that act will be treated as having occurred for the purpose of promoting or procuring the election of each candidate on that party's list, resulting in each candidate's election being void and rendering them incapable of standing to fill any vacancies for which the election was held.

(3) An election is not liable to be avoided otherwise than under this article by reason of general corruption, bribery, treating or intimidation.

Avoidance of election for employing corrupt agent

118.—(1) A candidate is incapable of being elected to fill the vacancy for which the election is held if that candidate, or the election agent—

- (a) personally engages as a canvasser or agent, for the conduct or management of the election, another person who has an incapacity to vote at the election, and
- (b) knows, or has reasonable grounds to suspect, that person to have an incapacity to vote at the election.

(2) Paragraph (1) applies to the election agent for an individual candidate and the election agent of the registered political party on whose party list the candidate's name appeared.

(3) For the purpose of paragraph (1), a person is subject to an incapacity to vote if that person is convicted or reported for any corrupt or illegal practice within the meaning of—

- (a) this Order,
- (b) the 1983 Act,
- (c) any enactment relating to elections in the Northern Ireland Assembly or the Scottish Parliament, or
- (d) the Electoral Law Act (Northern Ireland) 1962(1).

(4) In relation to party list candidates, the incapacity imposed by paragraph (1) applies when—

- (a) the election agent engages the canvasser or agent to each candidate on the party list, or
- (b) the party list candidate engages the canvasser or agent only to that candidate.

(5) Subject to paragraph (6), a vote is not deemed to be thrown away so as to entitle another candidate to be declared elected if a vote is given for—

- (a) an individual candidate, who at the time of the election was incapable of being elected by virtue of this article, or
- (b) a registered political party, where at the time of the election each candidate included on the party's list was incapable of being elected by virtue of this article.

(6) A vote in paragraph (5) will be deemed to be thrown away when it is given at a poll consequent on the decision of an election court that the candidate was so incapable.

Votes to be struck off for corrupt or illegal practices

119.—(1) When a Senedd election petition is claiming the seat for any person, and it is proved that a candidate by themselves, or by any person on their behalf, is guilty of bribery, treating or undue influence in respect of any person who voted at the election, there must, on a scrutiny, be one vote struck off in accordance with paragraph (2) for each person who voted at the election and who is proved to have been so bribed, treated or unduly influenced.

(2) The vote referred to in paragraph (1) will be struck off from the number of votes appearing to have been given to—

- (a) the individual candidate, or
- (b) the registered political party on whose list the party list candidate appears.

(1) 1962 c. 14 (N.I.).

(3) A vote by a person at a Senedd election will be void if that person is guilty of a corrupt or illegal practice or of illegal payment, employment or hiring.

(4) A vote by a person at a Senedd election will be void if that person is subject to an incapacity to vote due to corrupt or illegal practices under any enactment at—

- (a) a Senedd election,
- (b) an election to the House of Commons,
- (c) an election to the Scottish Parliament,
- (d) an election to the Northern Ireland Assembly,
- (e) a local government election, or
- (f) an election for a Police and Crime Commissioner.

Application for relief

120.—(1) An application for relief under this article may be made to—

- (a) the High Court,
- (b) an election court, or
- (c) a county court when in relation to a payment made in contravention of article 51(1) or (2) (time for sending in and paying claims).

(2) An applicant must notify the Director of Public Prosecutions of the application.

(3) The Director of Public Prosecutions, or an assistant or representative of the Director may attend the hearing and make representations in respect of the application.

(4) The court may make an order to exempt an act or omission that would otherwise, under the provisions of this Order, be an illegal practice, payment, employment or hiring, if—

- (a) there is sufficient evidence that—
 - (i) the act or omission by any person would, if not for this article, be an illegal practice, payment, employment or hiring,
 - (ii) the act or omission that arose was unintentional or inadvertent, and in any case did not arise in bad faith, and
 - (iii) notice of the application has been given, as to the court seems fit, in the Senedd constituency for which the election was held, and
- (b) it seems to the court to be just, under the circumstances, that no person should be subject to any of the consequences under this Order for the act or omission.

(5) When the court grants an order under paragraph (4), no person will be subject to any consequences under this Order for the act or omission.

Prosecutions for corrupt practices

121.—(1) A person guilty of a corrupt practice is liable—

- (a) on conviction on indictment—
 - (i) for a corrupt practice under article 13(5) or 30, to imprisonment for a term not exceeding 2 years or a fine, or both;
 - (ii) in any other case, to imprisonment for a term not exceeding 1 year or a fine, or both;
- (b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum, or both.

(2) When an offence is committed after the commencement of section 281(5) of the Criminal Justice Act 2003⁽¹⁾, the reference in paragraph (1)(b) to 6 months is to be taken to be 51 weeks.

(3) When a person holding a licence or certificate under the Licensing Acts is convicted of the offence of bribery or treating, and that offence was committed on that person's licensed premises, the court must direct the conviction to be entered in the proper register of licences.

(4) After the conviction is entered in the proper register of licences, that entry must be taken into consideration by the licensing authority when determining whether or not to grant a renewal of the licence or certificate and may be a ground for refusing its renewal.

Prosecutions for illegal practices

122.—(1) A person guilty of an illegal practice is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

(2) On a prosecution for an illegal practice, it will be sufficient to allege that the person charged is guilty of an illegal practice.

Conviction of illegal practice on charge of corrupt practice

123.—(1) A person charged with a corrupt practice may be found guilty of an illegal practice, if the circumstances warrant such a finding.

(1) 2003 c. 44.

(2) A conviction for an offence under paragraph (1) is, for that purpose, an indictable offence.

(3) A person charged with an illegal practice may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt practice.

Incapacities on conviction of corrupt or illegal practice at a Senedd election

124.—(1) Subject to paragraph (3), a person (“P”) convicted of a corrupt or illegal practice will be incapable during the relevant period of being—

- (a) registered as an elector or voting at any Senedd or local government election in Wales, or
- (b) elected to the Senedd or a local authority in Wales, and if already elected to a seat in the Senedd or as a member of a local authority in Wales, P must vacate the seat or office in accordance with paragraphs (5) and (6).

(2) Where paragraph (1)(b) applies to P and at the time of P’s conviction, P is already elected to a seat in the Senedd or is a member of a local authority in Wales, P must—

- (a) vacate the seat or office in accordance with paragraphs (5) and (6), and
- (b) be suspended from performing any of P’s functions as a Senedd member, or any of the functions of the office to which P was elected, during the period specified in paragraph (8).

(3) The incapacity imposed by paragraph (1)(a) applies only to a person convicted of—

- (a) a corrupt practice under article 13(5) or 30, or
- (b) an illegal practice under article 31.

(4) For the purpose of paragraph (1), the relevant period is the period beginning with the date of conviction and ending—

- (a) in the case of a person convicted of a corrupt practice, five years after that date,
- (b) in the case of a person convicted of an illegal practice, three years after that date, or
- (c) in the event that a court determines on appeal that the conviction should not be upheld, that date instead.

(5) Where paragraph (2)(a) applies, P must vacate the seat or office in question—

- (a) at the end of the prescribed period during which notice of appeal may be given, or an application for leave to appeal may be made, in respect of the conviction, or
- (b) if that period is extended, the earlier of—

- (i) the end of the extended period, or
- (ii) the end of 3 months beginning with the date of the conviction.

(6) If, before the end of the period referred to in paragraph (5), notice of appeal is given or an application for leave to appeal is made, P must vacate the seat or office 3 months after the date of conviction unless—

- (a) an appeal is dismissed or abandoned on any earlier date, in which case the person must vacate the seat or office on the date that the appeal is dismissed or abandoned, or
- (b) during the 3-month period the court determines the conviction should not be upheld, then the seat or office will not be vacated by that person.

(7) Where P vacates a seat or office in accordance with paragraph (5) or (6), P cannot resume the seat or office if a subsequent determination of the court finds the conviction should not be upheld.

(8) The period for which P will be suspended, for the purpose of paragraph (2)(b), begins on the date of conviction and ends on—

- (a) the date which the seat or office is vacated in accordance with paragraph (5) or (6), or
- (b) where paragraph (6)(b) applies, the date on which the court determines the conviction should not be upheld.

(9) Any incapacity or other requirement applying to a person by virtue of paragraphs (1), (2) and (8) applies in addition to any sentence or penalty imposed under article 121 or 122, subject to article 125.

Mitigation and remission of incapacities

125.—(1) The court may order an incapacity under article 124 to cease where—

- (a) a person (“P”) is subject to the incapacity by virtue of a report of an election court, and
- (b) P, or another person in respect of whose acts the incapacity was imposed, is subject to prosecution but is acquitted of any matters that led to the incapacity being imposed.

(2) When P is already subject to an incapacity by virtue of a report of the election court, and on prosecution P is convicted of any matters in relation to which the incapacity was imposed—

- (a) no further incapacity may be imposed by reason of the conviction, and
- (b) the court has like power to mitigate or remit the incapacity for the future, so far as it is imposed by article 113 in respect of the matters of which P is convicted, as if the

incapacity had been imposed by reason of the conviction.

(3) When exercising the powers conferred by paragraphs (1) and (2), a court must make an order declaring how the incapacities imposed by virtue of the report of the election court remain unaffected by the exercise of those powers.

(4) An order made under paragraph (3) will be conclusive for all purposes.

(5) When P is convicted of a corrupt or illegal practice and is subsequently reported by the election court to be guilty of that practice, no further incapacity may be imposed on P under article 113 by reason of the report.

(6) When P is subject to any incapacity by virtue of a report by the election court or a conviction, and a witness who gave evidence against P in the proceedings is convicted of perjury in respect of that evidence—

- (a) P may apply to the High Court, and
- (b) the court may order the incapacity to cease immediately if it is satisfied the report of the election court or the conviction was based upon perjury.

Illegal payments or employments

126.—(1) A candidate or election agent who is personally guilty of an offence of illegal payment or employment is guilty of an illegal practice.

(2) A person guilty of an offence of illegal payment or employment is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) On prosecution of such an offence, it is sufficient to allege that the person charged was guilty of an illegal payment or employment.

(4) Any person charged with an offence of illegal payment or employment may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Time limit for prosecutions

127.—(1) Proceedings in respect of an offence under any provision in this Order must commence within 12 months after the offence was committed.

(2) In the case of any proceedings under the Magistrates' Courts Act 1980⁽¹⁾, in connection with offences under this Order, the time limit specified in paragraph (1) is substituted for any time limitation under that Act.

(1) 1980 c. 43.

(3) For the purpose of this article, the laying of an information is deemed to be the commencement of proceedings.

(4) A magistrates' court may extend the time limit under paragraph (1) but not exceeding 24 months after the offence was committed if it is satisfied, on application by a constable or Crown Prosecutor, that—

- (a) there are exceptional circumstances which justify the granting of the application, and
- (b) there has been no undue delay in the investigation of the offence to which the application relates.

(5) If a magistrates' court acts under paragraph (4), it may also make an order under paragraph (6) if it is satisfied, on an application by a constable or Crown Prosecutor, that documents retained by the registration officer in pursuance of rule 70 of Schedule 5 (retention and destruction of documents forwarded to relevant registration officer) may provide evidence relating to the offence.

(6) An order under this paragraph is an order—

- (a) directing the registration officer not to cause the documents to be destroyed at the expiry of the period of 1 year mentioned in rule 70 of Schedule 5, and
- (b) extending the period of retention by a further period not exceeding 12 months, as specified in the order.

(7) The making of an order under paragraph (6) does not affect any other power to require the retention of the documents.

(8) An application under this article must be made no later than 12 months after the offence was committed.

(9) A party to an application under paragraph (4) or (5) who is aggrieved by the refusal of the magistrates' court to act or make an order, may appeal to the Crown Court.

Prosecution of offences committed outside the United Kingdom

128. Proceedings in respect of an offence under this Order that are alleged to have been committed outside the United Kingdom by a Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union may be taken, and the offence may for all incidental purposes be treated as having been committed in any place in the United Kingdom.

Offences by associations or body of persons

129.—(1) Where an offence specified in paragraph (2) is committed by any association or body of

persons, corporate or unincorporate, then the members of the association or body who have taken part in the commission of the offence are liable to any fine or punishment imposed by this Order.

(2) The offences referred to in paragraph (1) are—

- (a) any corrupt or illegal practice or any illegal payment or employment, or
- (b) any offence under article 78 (printer's name and address on election publications).

Evidence by certificate of returning officer

130.—(1) A certificate of the returning officer at a Senedd election specified in paragraph (2), will be sufficient evidence of the facts stated in it for the following purposes—

- (a) any prosecution for a corrupt or illegal practice, or for any illegal payment or employment, and
- (b) any proceedings for a penalty under article 59 (penalty for sitting or voting where no return and declarations are delivered etc.).

(2) The certificates are those that certify—

- (a) that the election mentioned in the certificate was duly held, and
- (b) that the person named in the certificate was a candidate at the election.

Evidence by certificate of electoral registration

131.—(1) The certificate of a registration officer that a person is or is not, or was or was not, duly registered in the officer's register in respect of any address, will be sufficient evidence of the facts stated in it.

(2) A document purporting to be such a certificate will be received in evidence and presumed to be such a certificate unless the contrary is proved.

Director of Public Prosecutions

132.—(1) When in receipt of information that an offence under this Order has been committed, the Director of Public Prosecutions must make inquiries and institute any prosecutions as the circumstances of the case may require.

(2) The Director may attend the trial of every Senedd election petition, and must do so when so requested by the election court.

(3) For the purpose of paragraph (2), the Director may attend the trial either in person or via an assistant or representative as nominated under paragraph (4).

(4) The Director may nominate a barrister, solicitor, or an authorised person to be a representative for the purposes of this Part.

(5) The Director, assistant or representative are to receive such allowances for expenses as the Treasury may approve for the purpose of this Part, other than for general duties under paragraph (1).

(6) Subject to paragraph (7), the costs incurred in meeting the expenses referred to in paragraph (5) will be paid by the Treasury and be deemed to be expenses of the election court.

(7) If for any reasonable cause it seems just to the court so to do, the court may order all or part of the costs incurred in meeting the expenses referred to in paragraph (5), to be repaid to the Treasury by the parties to the petition, or such of them as the court may direct.

Costs

133.—(1) The rules of the Senior Courts of England and Wales in respect of costs to be allowed in actions, causes and matters in the High Court will, so far as is practicable, apply to the costs of a Senedd election petition and other proceedings under this Part.

(2) The costs allowed in respect of a Senedd election petition may not be higher than the costs that would be allowed in any action, cause or matter in the High Court on a standard basis.

(3) Where any costs or sums are ordered by an election court or otherwise under this Part to be paid by any person, those costs or sums may be recovered accordingly and—

- (a) will be payable from that person to the person to whom they are to be paid, or
- (b) if payable to the Treasury, will be a debt due to His Majesty.

Service of notices

134.—(1) Any notice, legal process or other document required to be served on any person for the purposes of this Part, may be served—

- (a) by delivering it to that person,
- (b) by leaving it at that person's last known address in the Senedd constituency for which the election was held,
- (c) by sending it by post via a registered letter or recorded delivery service to that person's last known address in the Senedd constituency for which the election was held, or
- (d) if it relates to proceedings before any court, in such manner as the court may direct.

(2) In proving service by post under this article, it will be sufficient to prove that the letter was prepaid, properly addressed, and registered or recorded with the postal operator (within the meaning of Part 3 of the Postal Services Act 2011⁽¹⁾).

Computation of time for purposes of Part 4

135. Article 38 (computation of time for purposes of Part 3) applies in computing any period of time for the purposes of this Part as it applies for the purposes of Part 3.

PART 5

Miscellaneous and supplemental

Advertisements

136. The Town and Country Planning (Control of Advertisements) Regulations 1992⁽²⁾ have effect in relation to the display, on any site in Wales, of an advertisement relating specifically to a Senedd election as those Regulations have effect in relation to the display of an advertisement relating specifically to a parliamentary election.

Senedd constituencies not wholly within a county or county borough

137.—(1) Subject to paragraph (4), paragraphs (2) and (3) apply where a Senedd constituency is not conterminous with, or wholly situated in, a county or county borough.

(2) The registration officer for any part of a Senedd constituency must consult the returning officer for that constituency as to the form of—

- (a) the register,
- (b) the electors lists, or
- (c) the postal voters list, list of proxies or proxy postal voters list,

to ensure they are in a form similar to those used elsewhere in the constituency.

(3) The registration officer for any part of a Senedd constituency must supply the returning officer for that constituency with a copy of the lists compiled under articles 8 and 10(8) upon their completion.

(4) Paragraphs (2) and (3) do not apply when the registration officer and the returning officer for the constituency is the same person.

⁽¹⁾ 2011 c. 5.

⁽²⁾ S.I. 1992/666, to which there are amendments not relevant to this Order.

Accessibility of certain documents

138.—(1) Paragraph (2) applies to any document, apart from the nomination paper and the ballot paper, which is required or authorised by this Order to be given to voters or displayed in any place for the purpose of a Senedd election.

(2) The person who is required or authorised to give or display the document must give, display or otherwise make available in such form as may be appropriate—

- (a) the document in Braille;
- (b) the document in languages other than Welsh and English;
- (c) graphical and audio representations of the information contained in the document;
- (d) other means of making the information contained in the document accessible to persons who might not otherwise have reasonable access to the information.

(3) The returning officer at a Senedd election must cause to be displayed at every polling station in the election an enlarged sample copy of the ballot paper.

(4) The sample copy mentioned in paragraph (3)—

- (a) must have printed, both at the top and immediately below the list of candidates, the words “PLEIDLEISIWCH UNWAITH YN UNIG AR Y PAPUR PLEIDLEISIO. PEIDIWCH Â RHOI UNRHYW FARC ARALL AR Y PAPUR PLEIDLEISIO NEU MAE’N BOSIBL NA CHAIFF EICH PLEIDLAIS EI CHYFRIF” and “VOTE ONLY ONCE ON THE BALLOT PAPER. PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT BE COUNTED”;
- (b) may include a translation, below the second occurrence of the words referred to in subparagraph (a), of those words into such other languages as the returning officer considers appropriate.

(5) The returning officer at a Senedd election must provide at the polling station for which they are responsible, an enlarged hand-held sample copy of the ballot paper for the assistance of voters who are partially sighted.

(6) The sample copy mentioned in paragraphs (3) and (5) must be clearly marked as a specimen provided only for the guidance of voters.

Forms: general

139.—(1) The forms set out in this Order, apart from the ballot paper to be used at elections set out in

Schedule 10, may be used with such variations as the circumstances may require.

(2) Without prejudice to the power conferred by paragraph (1), where any form to which that paragraph applies is set out in English first and then in Welsh, that form may be varied so that—

- (a) the Welsh and English parts are combined, or
- (b) it is set out in Welsh first and then in English.

(3) Where any person is required to complete a form referred to in paragraph (2), such form may be validly completed in either the Welsh or English parts.

Public notices and declarations

140.—(1) Subject to paragraph (2), a public notice required by or under this Order to be given by a returning officer at a Senedd election must be given by posting the notice—

- (a) online, and
- (b) in such other ways as the returning officer considers appropriate.

(2) In giving public notice in accordance with paragraph (1), the returning officer must take reasonable steps to ensure that the contents of the document are brought to the attention of the public.

(3) Where this Order authorises a declaration to be made before a person, that person may take that declaration.

Electronic applications, notices and signatures

141.—(1) The requirement in this Order that any application, notice, certificate, representation or objection must be in writing is satisfied where, apart from the usual meaning of that expression, the text of it is—

- (a) transmitted by electronic means,
- (b) received in legible form, and
- (c) capable of being used for future reference.

(2) The requirement in this Order for an application, notice, certificate, representation or objection to be signed is satisfied, as an alternative to a signature given by hand, where there is—

- (a) an electronic signature incorporated into, or logically associated with, a particular electronic communication, and
- (b) the certification by any person of such a signature.

(3) For the purposes of this Order, an electronic signature includes anything in electronic form that purports to be so incorporated or associated for the purpose of being used in establishing the authenticity

of the communication, the integrity of the communication, or both.

(4) An electronic signature made in accordance with paragraphs (2) and (3) is certified by any person if that person, whether before or after the making of the communication, has made a statement confirming that—

- (a) the signature,
- (b) a means of producing, communicating or verifying the signature, or
- (c) a procedure applied to the signature,

is, either alone or in combination with other factors, a valid means of establishing the authenticity of the communication, the integrity of the communication, or both.

Publication of and inspection of documents

142.—(1) Any failure to publish a document in accordance with this Order does not invalidate the document, but this provision does not relieve any person from any penalty for such a failure.

(2) Where a document is made available for inspection, unless any provision of this Order provides otherwise, any person may make a copy, whether in handwriting or by other means, of the whole or any part of such a document.

Interference with notices etc.

143. Any person who without lawful authority destroys, mutilates, defaces or removes any notice published by a registration officer in connection with their registration duties under this Order, or any copies of a document which have been made available for inspection in pursuance of those duties, is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Premises used for election purposes

144. In relation to premises in Wales, section 65(6) of the Local Government Finance Act 1988⁽¹⁾ has effect as if—

- (a) the reference to public meetings in furtherance of a person's candidature at a parliamentary or local government election included a reference to public meetings promoting a particular result at a Senedd election, and
- (b) the reference to use of a room by a returning officer for the purpose of taking the poll in a

(1) 1988 c. 41.

parliamentary or local government election included a reference to use of a room by a returning officer for the purpose of taking the poll in a Senedd election in accordance with Schedule 5 to this Order.

Dissolution of the Senedd

145. The “minimum period” for the purpose of section 3(2)(a) of the 2006 Act is a period of 21 days, calculated in accordance with rule 2 of Schedule 5.

Consequential amendments

146. Schedule 11 makes consequential amendments relating to this Order.

Name

Cabinet Secretary for Housing and Local Government,
one of the Welsh Ministers

Date

Absent voting at Senedd elections

General requirements for applications for an absent vote

1.—(1) Applications under article 6 (absent vote at Senedd elections for a particular or an indefinite period), 7 (absent vote at a particular Senedd election), 9 (proxies at Senedd elections) or 10 (voting as proxy at Senedd elections) must state—

- (a) the applicant's full name,
- (b) except in the case of an application under article 10(4) (an application to vote by post as proxy) and (7) (application for ballot paper to be sent to a different address from that shown in the record), the address in respect of which the applicant is registered or has applied to be, or is treated as having applied to be, registered in the register of electors,
- (c) in the case of an application under article 10, the proxy's address, together with the name of the elector for whom the proxy will act as proxy, and the elector's address for the purposes of paragraph (b),
- (d) in the case of an application to vote by post, the address to which the ballot paper is to be sent,
- (e) in the case of an application to vote by proxy, the grounds on which the elector claims to be entitled to an absent vote,
- (f) in the case of a person who is unable to provide a signature, the reasons for the applicant's request for a waiver of any requirement under article 6, 7, 8 or 10 to provide a signature, and the name and address of any person who has assisted with the completion of the application, and
- (g) where the applicant has, or has applied for, an anonymous entry, that fact.

(2) The application must be made in writing and be dated.

(3) Where an application is required to contain a signature and date of birth, in order to be capable of electronic scanning into the record, this information must be configured as follows—

- (a) the signature must appear against a background of white unlined paper of at least five centimetres long and two centimetres high, and

- (b) the applicant's date of birth must be set out numerically configured in the sequence of date, month, year, namely [d][d] [m][m] [y][y][y][y].

(4) Where the application contains a request that the registration officer dispense with a requirement for a signature, sub-paragraph (3)(a) will not apply.

(5) An application which is made—

- (a) under article 6(1), 9(6) or 10(4)(a), either for an indefinite period or for the period specified in the application, or
- (b) under article 7(1), (2), (3), (4), 9(7) or 10(7), for a particular Senedd election,

must state the period for which it is made, but where the poll for a Senedd election falls on the same day as the poll at another election, the same application may be used for both elections.

(6) Where an application is made to vote by proxy, it must include an application for the appointment of a proxy which meets the requirements of paragraph 6.

(7) A registration officer may satisfy themselves—

- (a) that an application under article 6, 7, 9 or 10 meets any requirement that it has been signed by the applicant and states the applicant's date of birth by referring to any signature and date of birth—
 - (i) previously provided by the applicant to the registration officer or the returning officer, or
 - (ii) previously provided by the applicant to the county or county borough council, or registrar of births and deaths, which the registration officer is authorised to inspect for the purposes of their registration duties, or
- (b) as to whether the applicant is unable to provide a signature or a consistent and distinctive signature due to disability or inability to read or write.

(8) For the purposes of sub-paragraph (1)(b), the address in respect of which the applicant is or has applied to be, or is treated as having applied to be, registered includes—

- (a) in the case of a service voter, the address given in the service declaration in accordance with section 16(1)(d) of the 1983 Act⁽¹⁾,

(1) 1983 c. 2. Section 16 was amended by Schedule 7 to the Representation of the People Act 2000 (c. 2) and section 20(4) of the Senedd and Elections (Wales) Act 2020 (anaw 1).

- (b) in the case of a person to whom section 7 of the 1983 Act⁽¹⁾ applies (patients in mental hospitals who are not detained offenders or on remand), the address of the mental hospital or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act⁽²⁾ (notional residence: declarations of local connection),
- (c) in the case of a person to whom section 7A of the 1983 Act⁽³⁾ applies (persons remanded in custody etc.), the address of the place at which that person is detained or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act,
- (d) in the case of a homeless person within the meaning of section 7B(2)(c) of the 1983 Act, the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act, and
- (e) in the case of a person who is, or has been, a child looked after by a local authority, the address at which they are resident, or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act.

Additional requirements for applications for ballot papers to be sent to different address from that stated in application

2.—(1) Sub-paragraph (2) applies where—

- (a) in the case of an application to vote by post under article 6(1) or (8) or 7(1), the addresses stated in accordance with paragraph 1(1)(b) and (d) are different, or
- (b) in the case of an application by a proxy to vote by post under article 10(4), the proxy's address stated in accordance with paragraph 1(1)(c) and the address stated in accordance with paragraph 1(1)(d) are different.

(1) Section 7 was amended by section 4 of the Representation of the People Act 2000 (c. 2); section 12(1) of the Electoral Administration Act 2006 (c. 22); paragraph 2 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6); and S.I. 2005/2078.

(2) Section 7B was inserted by section 6 of the Representation of the People Act 2000 (c. 2). It was subsequently amended by paragraph 2(2)(a) of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1).

(3) Section 7A was inserted by section 5 of the Representation of the People Act 2000 (c. 2). It was subsequently amended by section 12(2) of the Electoral Administration Act 2006 (c. 22) and paragraph 3 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6). There are other amendments to section 7A that are not relevant here.

(2) The application must set out why the applicant's circumstances will be or are likely to be such that the applicant requires the ballot paper to be sent to the address stated in accordance with paragraph 1(1)(d).

(3) This paragraph does not apply where an applicant has, or has applied for, an anonymous entry.

Additional requirements for applications for ballot papers to be sent to different address from that shown in the record kept under article 6 or 10

3.—(1) Sub-paragraph (2) applies to an application for a person's ballot paper to be sent to a different address from that shown in the record under—

- (a) article 7(4)(a) by a person shown as voting by post in the record kept under article 6(4), or
- (b) article 10(7) by a person shown as voting by post in the record kept under article 10(6).

(2) The application must set out why the person's circumstances will be or are likely to be such that they require the ballot paper to be sent to the alternative address.

(3) This paragraph does not apply where an applicant has, or has applied for, an anonymous entry.

The personal identifiers record

4.—(1) The registration officer must maintain a record ("the personal identifiers record") of the signatures and dates of birth provided by persons whose applications under article 6(1), 7(1) or 10(4)(a) or (b) have been granted.

(2) The personal identifiers record must be kept until the expiry of 12 months from—

- (a) the date on which a person is removed from the record kept pursuant to article 6(4) or 10(6), or
- (b) the date of the poll for the purposes of which the person's application for an absent vote was granted under article 7(1) or 10(4)(b).

(3) The personal identifiers record must be kept apart from the other records and lists which the registration officer is required to keep under this Order.

(4) The personal identifiers record must contain the following information in respect of each absent voter on the postal voters list, list of proxies or proxy postal voters list—

- (a) the absent voter's name,
- (b) the absent voter's date of birth, and
- (c) the absent voter's signature, or a record of waiver by the registration officer of the requirement for the signature.

(5) The registration officer may disclose information held in the personal identifiers record to—

- (a) any candidate, or agent appointed under paragraph 6 of Schedule 2, attending proceedings on receipt of postal ballot papers, in accordance with and for the purposes referred to in paragraphs 23, 26 and 27 of that Schedule;
- (b) any person attending proceedings on receipt of postal ballot papers, who is entitled to do so by virtue of any of sections 6A to 6D of the 2000 Political Parties Act⁽¹⁾, but only to the extent required to permit them to observe the proceedings.

Notification of rejected postal voting statement

5.—(1) Where an absent voter, whether an elector or a proxy, appears on the list created under paragraph 26(4) of Schedule 2 (lists of rejected postal ballot papers)—

- (a) the registration officer responsible for the personal identifiers record that contains information in respect of the absent voter must, subject to sub-paragraph (2), notify that person, and the elector if the absent voter is a proxy, that the ballot paper concerned was rejected because the returning officer was not satisfied that the postal voting statement was duly completed,
- (b) the registration officer must send the notification within the period of 3 months beginning with the date of the poll at which the ballot paper was rejected, and
- (c) the notification must include information as to which of the specified reasons referred to in paragraph 26(5) of Schedule 2 applied to the absent voter's postal voting statement.

(2) The registration officer is not obliged to send a notification—

- (a) to any person who is no longer shown as voting by post in the relevant record at the time the registration officer proposes to send out the notification, or

(1) 2000 c. 41. Sections 6A to 6D were inserted by section 29 of the Electoral Administration Act 2006 (c. 22). Section 6A was amended by paragraph 10 of Schedule 10 to Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 3 of Schedule 6 to the Recall of MPs Act 2015 (c. 25) and S.I. 2007/1388. Section 6C was amended by paragraph 5 of Schedule 2 to the Senedd and Elections (Wales) Act 2020 (anaw 1). Section 6D was amended by paragraph 6 of Schedule 2 to the Senedd and Elections (Wales) Act 2020.

- (b) where the registration officer suspects that an offence may have been committed in relation to the ballot paper, postal voting statement or the absent voter's registration as an elector.

(3) A notification issued under sub-paragraph (1) may also include any other information that the registration officer considers appropriate, but save for the elector's, or the proxy's, name, a notification must not include any information held on the personal identifiers record.

Additional requirements for applications for appointment of a proxy

6. An application for the appointment of a proxy under article 6 or 7 must state the full name and address of the person whom the applicant wishes to appoint as their proxy, together with the family relationship, if any, with the applicant, and—

- (a) if it is signed only by the applicant, must contain a statement by the applicant that the applicant has consulted the person so named and that that person is capable of being and willing to be appointed to vote as proxy for the applicant, or
- (b) if it is also signed by the person to be appointed, must contain a statement by that person that they are capable of being and willing to be appointed to vote as the applicant's proxy.

Additional requirements for applications for a proxy vote for a particular or indefinite period on grounds of severe sight-impairment or other disability

7.—(1) An application to vote by proxy for a particular or indefinite period under article 6(2) for a reason under article 6(3)(c) (application by reason of severe sight-impairment or other disability) must specify the disability by reason of which the application is made.

(2) Subject to sub-paragraph (5), such an application must be attested and signed by either—

- (a) a registered medical practitioner,
- (b) a nurse registered on the register maintained by the Nursing and Midwifery Council under article 5 of the Nursing and Midwifery Order 2001⁽¹⁾ by virtue of qualifications in nursing,

⁽¹⁾ S.I. 2002/253 amended by S.I. 2009/1182 and S.I. 2018/838.

- (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984(1),
- (d) a registered dispensing optician or a registered optometrist within the meaning of section 36(1) of the Opticians Act 1989(2),
- (e) a registered pharmacist as defined by article 3(1) of the Pharmacy Order 2010(3),
- (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993(4),
- (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994(5),
- (h) a Christian Science practitioner,
- (i) a person registered as a member of a profession to which the Health Professions Order 2001(6) for the time being extends,
- (j) a person who is registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016(7) as the provider of a regulated care home service, within the meaning of that Part, which is provided wholly or mainly to persons aged 18 or over,
- (k) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant resides in such premises,

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- (1) 1984 c. 24. There are amendments to section 53(1) which are not relevant here.
 - (2) 1989 c. 44. The definition of “registered dispensing optician” in section 36 was amended by S.I. 2019/593. The definition of registered optometrist in section 36 was amended by S.I. 2005/848; S.I. 2007/3101 and S.I. 2019/593.
 - (3) S.I. 2010/231. The definition of “registered pharmacist” was amended by S.I. 2019/593 and S.I. 2024/347.
 - (4) 1993 c. 21. The definition of “registered osteopath” in section 41 was amended by S.I. 2019/593.
 - (5) 1994 c. 17. The definition of “registered chiropractor” in section 43 was amended by S.I. 2019/593.
 - (6) S.I. 2002/254. Article 9 (registration) was amended by paragraph 14 of Schedule 5 to the Children and Social Work Act 2017 (c. 16); S.I. 2007/3101; S.I. 2013/1286; S.I. 2014/1887; S.I. 2019/593 and S.I. 2023/1286. Other amendments have been made to the Order that are not relevant here.
 - (7) 2016 anaw 2.

- (l) a manager within the meaning of section 145(1) of the Mental Health Act 1983⁽¹⁾ or on behalf of such a manager,
 - (m) a person registered in a register for social workers maintained in accordance with section 80 of the Regulation and Inspection of Social Care (Wales) Act 2016⁽²⁾,
 - (n) a person registered in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017⁽³⁾, or
 - (o) a person registered as either a physician associate or an anaesthesia associate under the Anaesthesia Associates and Physician Associates Order 2024⁽⁴⁾.
- (3) A person (“P”) may only attest an application—
- (a) by virtue of any of paragraphs (a) to (i) of sub-paragraph (2) if—
 - (i) P is treating the applicant for the disability specified in the application,
 - (ii) the applicant is receiving care from P in respect of that disability, or
 - (iii) P is a social worker who qualifies by virtue of sub-paragraph (2)(i), and has arranged care or assistance for the applicant in respect of their disability, or
 - (b) by virtue of sub-paragraph (2)(m) if—
 - (i) P is treating the applicant for the disability specified in the application,
 - (ii) the applicant is receiving care from P in respect of that disability, or
 - (iii) P has arranged care or assistance for the applicant in respect of the disability.
- (4) Where P attests an application, subject to sub-paragraph (6), P must state—

(1) 1983 c. 20. The definition of “the managers” in section 145(1) was amended by paragraph 24 of Schedule 9 to the National Health Service and Community Care Act 1990 (c. 19); section 1 of the Mental Health (Amendment) Act 1994 (c. 6); paragraph 107 of Schedule 1 to the Health Authorities Act 1995 (c. 17); paragraph 1 of Schedule 5 to the Health Act 1999 (c. 8); paragraph 57 of Schedule 4 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43); paragraph 70 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c. 43); section 46 of, and paragraph 17 of Schedule 1 to, the Mental Health Act 2007 (c. 12); paragraph 31 of Schedule 5 to the Health and Social Care Act 2012 (c. 7); S.I. 2007/961 and S.I. 2010/813. Other amendments have been made to section 145(1) that are not relevant here.

(2) Section 80 was amended by S.I. 2016/1030 and S.I. 2019/761.

(3) 2017 c. 16.

(4) S.I. 2024/374.

- (a) their name and address and the provision in sub-paragraph (2) under which they may attest the application,
 - (b) where they attest the application under sub-paragraph (3)(a), that—
 - (i) they are treating the applicant for the disability specified in the application, or
 - (ii) the applicant is receiving care from them in respect of that disability,
 - (c) where they attest the application under sub-paragraph (3)(b), that—
 - (i) they are treating the applicant for the disability specified in the application,
 - (ii) the applicant is receiving care from them in respect of that disability, or
 - (iii) they have arranged care or assistance for the applicant in respect of that disability, and
 - (d) that, to the best of their knowledge and belief—
 - (i) the applicant has the disability specified in the application and cannot reasonably be expected to go in person to their allotted polling station, or to vote unaided there, by reason of that disability, and
 - (ii) the disability specified in the application is likely to continue either indefinitely or for such period as may be specified by the person attesting the application.
- (5) Sub-paragraphs (2) to (4) do not apply where—
- (a) the application is based on the applicant's severe sight-impairment and the applicant is registered, in a register kept under section 18(1) of the Social Services and Well-being (Wales) Act 2014⁽¹⁾, as a severely sight-impaired person by the local authority which is specified in the application,
 - (b) the application states that the applicant is in receipt of the higher rate of the mobility component of a disability living allowance, payable under section 73 of the Social Security Contributions and Benefits Act 1992⁽²⁾, because of the disability specified in the application,

(1) 2014 anaw 4.

(2) 1992 c. 4. Section 73 was amended by section 67 of the Welfare Reform and Pensions Act 1999 (c. 30); paragraph 145 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c. 43); section 53 of, and paragraph 2 of Schedule 7 and paragraph 1 of Schedule 8 to, the Welfare Reform Act 2007 (c. 5); and section 14 of the Welfare Reform Act 2009 (c. 24).

- (c) the application states that the applicant is in receipt of the enhanced rate of the mobility component of personal independence payment, payable under section 79(2) of the Welfare Reform Act 2012⁽¹⁾, because of the disability specified in the application, or
- (d) the applicant is in receipt of an armed forces independence payment under article 24A of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011⁽²⁾, because of the disability specified in the application.

(6) A person who attests an application by virtue of sub-paragraph (2)(l) must, instead of the matters specified in sub-paragraph (4)(a), state—

- (a) their name,
- (b) their position in the hospital at which the applicant is liable to be detained or at which the applicant is receiving treatment,
- (c) that they are a person authorised to make the attestation, and
- (d) in the case of an applicant who is liable to be detained in hospital, the statutory provision under which the applicant is liable to be so detained.

(7) The fact that an applicant is registered as severely sight-impaired by a local authority in Wales in a register kept under section 18(1) of the Social Services and Well-being (Wales) Act 2014 will be deemed sufficient evidence that the applicant is eligible for an absent vote on the grounds set out in article 6(3)(c).

(8) In this paragraph, “the allotted polling station” in relation to an elector, means the polling station allotted or likely to be allotted to the elector under rule 34 of Schedule 5.

Additional requirements for applications for a proxy vote for a particular or indefinite period based on occupation, service, employment or attendance on a course

8.—(1) An application to vote by proxy for a particular or indefinite period under article 6(3)(d) and (e) must state—

- (a) whether the occupation, service or employment in respect of which it is made is that of the applicant or the applicant’s spouse or civil partner, or whether it is the applicant

⁽¹⁾ 2012 c. 5.

⁽²⁾ S.I. 2011/517. Article 24A was inserted by S.I. 2013/436 and was subsequently amended by S.I. 2017/247 and S.I. 2023/323.

or the applicant's spouse or civil partner who is attending the course provided by an educational institution in respect of which the application is made,

- (b) the nature of the occupation, service, employment or course provided by an educational institution giving rise to the application,
- (c) where the person in respect of whose occupation, service or employment it is made, in this paragraph referred to as "the employed person", is self-employed, that fact, and in any other case, the name of that person's employer, and
- (d) the reason relevant to the general nature of the occupation, service or employment in question, or the course provided by an educational institution, why the applicant or their spouse or civil partner cannot reasonably be expected to go in person to their allotted polling station.

(2) The application must be attested and signed—

- (a) where the applicant is self-employed, by a person who—
 - (i) is aged 16 years or over,
 - (ii) knows the self-employed person, and
 - (iii) is not related to the applicant,
- (b) where the applicant or their spouse or civil partner is employed, by the employer or by another employee to whom this function is delegated by the employer, or
- (c) where the applicant or their spouse or civil partner is attending a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the principal or head.

(3) The person attesting an application under sub-paragraph (2) must—

- (a) where the applicant is the employed person, the self-employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (d) are true, or
- (b) where the applicant is the spouse or civil partner of the employed person, the self-employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (c) are true.

(4) The person attesting an application under sub-paragraph (2) must also state—

- (a) in the case of a person who attests under sub-paragraph (2)(a), their name and address, and that they are aged 16 years or over, know the self-employed person, but are not related to that person;
- (b) in the case of a person who attests under sub-paragraph (2)(b), either that they are the employer of the employed person or the position they hold in the employment of that employer;
- (c) in the case of a person who attests under sub-paragraph (2)(c), the post they hold at the institution.

(5) For the purpose of sub-paragraphs (2)(a) and (4)(a), one person (“A”) is related to another (“B”) if A is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of B.

(6) In this paragraph, the “allotted polling station” in relation to an elector, means the polling station allotted or likely to be allotted to the elector under rule 34 of Schedule 5.

Additional requirements for applications to vote by proxy in respect of a particular Senedd election

9.—(1) This paragraph applies to an application under article 7(2) (absent vote at a particular Senedd election).

(2) The application must set out why the applicant's circumstances on the date of the poll for that election in respect of which it is made will be, or are likely to be, such that the applicant cannot reasonably be expected to vote in person at their allotted polling station.

(3) Where an application under article 7(2)—

- (a) is made on the grounds of the applicant's disability, and
- (b) is made after 5.00 p.m. on the sixth day before the date of the poll at the election for which it is made,

the requirements of paragraphs 1 and 7 apply.

(4) Where an application mentioned in sub-paragraph (3) is made, the person who attests the application must state to the best of their knowledge and belief, in addition to those matters specified in paragraph 6, the date upon which the applicant became disabled.

(5) The requirements of paragraph 10 apply where an application under article 7(2)—

- (a) is made on grounds relating to the applicant's occupation, service or employment, and

- (b) is made after 5.00 p.m. on the sixth day before the date of the poll at the election for which it is made.

(6) Where a person to whom article 5(8) and (9) applies, makes an application under article 7(2) after 5.00 p.m. on the sixth day before the date of the poll at the election for which it is made, the requirements of sub-paragraph (7) apply.

(7) Where an application mentioned in sub-paragraph (6) is made—

- (a) the application must also state the name and address of the hospital at which the applicant is liable to be detained,
- (b) the application must be attested by or on behalf of a manager responsible for the administration of the hospital, within the meaning of section 145(1) of the Mental Health Act 1983, at which the applicant is liable to be detained, and
- (c) the attestation must state—
 - (i) the name of the person attesting the application,
 - (ii) the position of that person in the hospital at which the applicant is liable to be detained,
 - (iii) that that person is authorised to make the attestation, and
 - (iv) the statutory provision under which the applicant is liable to be detained in the hospital.

(8) This paragraph does not apply where the applicant has an anonymous entry.

(9) In this paragraph, the “allotted polling station” in relation to an elector, means the polling station allotted or likely to be allotted to the elector under rule 34 of Schedule 5.

Additional requirements for applications for an emergency proxy vote in respect of a particular election: grounds relating to occupation, service or employment

10.—(1) This paragraph sets out the requirements referred to in paragraph 9(5).

(2) The application must, in addition to providing the information required by paragraph 9(2), state—

- (a) where the applicant is employed, the name of the applicant’s employer, and in any other case, the nature of the applicant’s occupation or service,
- (b) that the reason provided in accordance with paragraph 9(2) relates to the applicant’s occupation, service or employment, and

- (c) the date on which the applicant became aware of that reason.

(3) Sub-paragraphs (4), (5) and (6) apply unless the applicant is or will be registered as a service voter.

(4) The application must be attested and signed—

- (a) where the applicant is employed, by the applicant's employer or by another employee to whom this function is delegated by the employer, or
- (b) in any other case, by a person who—
 - (i) is aged 16 years or over,
 - (ii) knows the applicant, and
 - (iii) is not related to the applicant.

(5) The person attesting an application under sub-paragraph (4) (“the attester”) must certify that the statements required by sub-paragraph (2) and the information required by paragraph 9(2) are true to the best of the attester's knowledge and belief.

(6) The attester must also state—

- (a) the attester's name and address, and
- (b) if the attester is attesting—
 - (i) as or on behalf of the applicant's employer, that the attester is the applicant's employer, or the position the attester holds in relation to that employer, or
 - (ii) other than as or on behalf of the applicant's employer, that the attester is aged 16 years or over and that the attester knows, but is not related to, the applicant.

(7) For the purposes of this paragraph, one person (“A”) is related to another (“B”) if A is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of B.

Closing dates for applications

11.—(1) An application—

- (a) to vote by post under article 6(1) or 7(1), or
- (b) from a proxy to vote by post under article 10(4),

must be disregarded for the purposes of any particular Senedd election if it is received by the registration officer after 5.00 p.m. on the eleventh day before the date of the poll at that election.

(2) Subject to sub-paragraph (3) an application—

- (a) to vote by proxy under article 6(2) or 7(2), or
- (b) for the appointment of a proxy under article 9(6) or (7),

must be disregarded for the purposes of any particular Senedd election if it is received by the registration officer after 5.00 p.m. on the sixth day before the date of the poll at that election.

(3) Where an application under article 7(2) is made—

- (a) on the grounds of the applicant's disability and the applicant became disabled after 5.00 p.m. on the sixth day before the date of the poll at the election for which it is made,
- (b) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5.00 p.m. on the sixth day before the date of the poll at the election for which it is made, or
- (c) by a person to whom article 5(9) applies,

the application, or an application under article 9(7) made by virtue of that application, must be refused if it is received after 5.00 p.m. on the day of the poll at the election for which it is made.

(4) An application—

- (a) by an absent voter to alter their choice as to the manner of absent voting under article 6(6) or (8),
- (b) by a postal voter for their ballot paper to be sent to a different address or to vote instead by proxy at a particular election under article 7(4), or
- (c) from a proxy postal voter for their ballot paper to be sent to a different address at a particular election under article 10(7),

must be refused for the purposes of any particular Senedd election if it is received by the registration officer after 5.00 p.m. on the eleventh day before the date of the poll at that election.

(5) The following must be disregarded for the purposes of any particular Senedd election if it is received by the registration officer after 5.00 p.m. on the eleventh day before the date of the poll at that election for which it is made—

- (a) an application under article 6(5)(a) by an elector to be removed from the record kept under article 6(4),
- (b) an application under article 10(10)(a) by a proxy to be removed from the record kept under article 10(8), and
- (c) a notice under article 9(9) of the cancellation of a proxy's appointment.

(6) Any application or notice mentioned in this paragraph must be disregarded for the purposes of a particular Senedd election if, before the application or notice is considered by the registration officer, the

elector or proxy has returned a postal ballot paper to the returning officer for the Senedd constituency to which it relates, except where it has been returned in accordance with paragraph 14 or 15 of Schedule 2 (spoilt or lost postal ballot papers).

(7) In computing a period of days for the purposes of this paragraph, the following days are to be disregarded—

- (a) a Saturday;
- (b) a Sunday;
- (c) Christmas Eve;
- (d) Christmas Day;
- (e) Good Friday;
- (f) a day that is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971⁽¹⁾;
- (g) a day appointed for public thanksgiving or mourning.

Grant or refusal of applications

12.—(1) A decision by the registration officer to grant an application to vote by post must be notified to the applicant.

(2) Where the registration officer grants an application for the appointment of a proxy, the registration officer must confirm in writing to the elector that the proxy has been appointed, together with the proxy's name and address and the duration of the appointment.

(3) The proxy paper to be issued by the registration officer on the appointment of a proxy must be in form 1 set out in Welsh and English in Schedule 10, but this may be combined with another form of proxy paper if the registration officer is issuing a proxy paper appointing that person as proxy for the same elector in respect of another election or other elections.

(4) Where the registration officer refuses an application for an absent vote the registration officer must notify the applicant of the decision and the reason for it.

(5) The registration officer must notify the applicant where the registration officer grants an application made under—

- (a) article 7(4)(a) by a person shown as voting by post in the record kept under article 6(4), or
- (b) article 10(7) by a person shown as voting by post in the record kept under article 10(6).

⁽¹⁾ 1971 c. 80.

(6) Where a person is removed from the record kept pursuant to article 6(4), the registration officer must, where practicable, notify the person of this and the reason for it.

(7) Where the appointment of a proxy is cancelled by the elector or otherwise ceases to be in force, the registration officer must, where practicable, notify the elector that the appointment has been cancelled or that the appointment has ceased, and the reason for it.

(8) Where under paragraph 11 the registration officer refuses or disregards an application for the purposes of any Senedd election, the registration officer must notify the applicant of this.

(9) At a Senedd election, where the registration officer (“R”) is not the returning officer for a Senedd constituency, or part of a Senedd constituency, R must send to the returning officer details of any application to vote by post which R has granted as soon as practicable after doing so.

Notice of appeal

13.—(1) A person wishing to appeal against the decision of a registration officer under article 3(1) (registration and absent voting appeals) must give notice of the appeal and the grounds of the appeal to the registration officer within 14 days of the receipt of the notice given under paragraph 12(4).

(2) The registration officer must forward any such notice to the county court in the manner directed by rules of court together with a statement of—

- (a) the material facts which in the registration officer’s opinion have been established in the case,
- (b) the registration officer’s decision upon the whole case, and
- (c) the registration officer’s decision on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal received are based on similar grounds, the registration officer must inform the county court of this to enable the court, if it thinks fit, to consolidate the appeals or select a test case.

Cancellation of proxy appointment

14. Where the appointment of a proxy is cancelled by notice given to the registration officer under article 9(9), ceases to be in force under article 9(10), or is no longer in force under article 9(11)(b), the registration officer must—

- (a) notify the person whose appointment as proxy has been cancelled, expired, ceases to be or is no longer in force, unless the registration

officer has previously been notified by that person that the person no longer wishes to act as proxy, and

- (b) remove the name of that person from the record kept under article 6(4).

Inquiries by registration officer

15.—(1) The registration officer may, at such times as they think fit, make inquiries of a person who is shown as voting by proxy in the record kept under article 6(4) in pursuance of an application granted on the grounds set out in article 6(3)(c) or (d) (disability, severe sight-impairment, occupation, service or employment), for the purpose of determining whether there has been a material change of circumstances.

(2) Where the grant of an application for a proxy vote for a particular or an indefinite period was based on grounds referred to in article 6(3)(d), or grounds corresponding to those grounds, the registration officer must make the inquiries referred to not later than three years after the granting of the application or the date of the last such inquiry.

(3) The registration officer may treat the failure by a person of whom inquiries have been made under subparagraph (1) or (2) to respond within 1 month of the date on which they were made as sufficient evidence of a material change in circumstances.

Requirement to provide fresh signatures at five yearly intervals

16.—(1) Every year by 31 January, the registration officer must send to every person who remains an absent voter and whose signature on the personal identifiers record is more than five years old, a notice in writing—

- (a) requiring that person to provide a fresh signature, and
- (b) informing that person of the date, being six weeks from the date of sending the notice, on which that person will cease to be entitled to vote by post or proxy in the event of a failure or refusal to provide a fresh signature.

(2) The notice must be sent by the registration officer to the current or last known address of the absent voter.

(3) If the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, the registration officer must, as soon as practicable, send a copy of the notice to the absent voter.

(4) Where a notice or copy of a notice is sent by post, the registration officer may use—

- (a) a prepaid universal service provider, or
- (b) a prepaid commercial delivery firm.

(5) A notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (1) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of a notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(6) Upon the expiration of the six week period specified in the notice sent to the absent voter, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.

(7) Where the registration officer determines that the absent voter has failed or refused to provide a fresh signature within the specified period, the registration officer must remove that person's entry from the records kept pursuant to article 6(4) or 10(6) and from the postal voters list, list of proxies or proxy postal voters list kept under article 8(1) to (3) or 10(8).

(8) Where the registration officer removes an absent voter's entry under sub-paragraph (7)—

- (a) the registration officer must inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to the voter under this Order;
- (b) paragraphs 12(4), (6) and (7), and 13 apply as if the registration officer were refusing an application in accordance with this Schedule;
- (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy.

(9) The registration officer must include in the notice to be sent to an absent voter regarding removal from the records kept pursuant to article 6(4) or 10(6) and from the postal voters list, list of proxies or proxy postal voters list kept pursuant to article 8(1) to (3) or 10(8), information—

- (a) explaining the effect of such removal, and
- (b) reminding the absent voter that they may make a fresh application under article 6(1) or (2), 7(1) or (2) or 10(4) to vote by post or proxy.

Requirement to provide fresh signatures following rejection of postal voting statement

17.—(1) The registration officer may require the absent voter to provide a fresh signature for the personal identifiers record where, in relation to a Senedd election—

- (a) an absent voter is notified under paragraph 5 that the signature on the absent voter's postal

voting statement does not match the example held on the personal identifiers record, and

- (b) the absent voter continues to be shown in the relevant record as voting by post.

(2) In doing so the registration officer must issue a notice in writing to the absent voter—

- (a) requiring the absent voter to provide a fresh signature, and
- (b) informing the absent voter of the date, being six weeks from the date of sending the notice, on which the absent voter would cease to be entitled to vote by post in the event of a failure or refusal to provide a fresh signature.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which it was sent, as soon as practicable send a copy of the notice to the absent voter.

(4) The notice and any copy must be sent by the registration officer to the absent voter's current or last known address.

(5) Where the notice or a copy of the notice is sent by post, the registration officer may use—

- (a) a prepaid universal service provider, or
- (b) a prepaid commercial delivery firm.

(6) The notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (2) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of a notice or copy of a notice sent to an address in the United Kingdom, the return postage must be prepaid.

(7) As soon as practicable after the date specified in the notice, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.

(8) Where the registration officer determines that the absent voter has failed or refused to provide a fresh signature, the registration officer must—

- (a) remove the absent voter's entry from the relevant record, and
- (b) so far as applicable, remove the absent voter's entry from the postal voters list or proxy postal voters list kept under article 8(1) to (3) or 10(8).

(9) Where a registration officer removes an absent voter's entry from a record or list under sub-paragraph (8)—

- (a) the registration officer must inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to the absent voter under rule 34 of Schedule 5,

- (b) article 3 and paragraphs 12(4) and 13 apply as if the registration officer were refusing an application under this Schedule, and
- (c) in the case of an entry removed from the record kept under article 10(6), or the proxy postal voters list kept under article 10(8), the registration officer must also notify the elector who appointed the voter that the proxy's entry has been removed.

(10) The registration officer must include in the notice to be sent to the absent voter regarding the absent voter's removal from the relevant record and, so far as applicable, the postal voters list or proxy postal voters list kept pursuant to article 8(1) to (3) or 10(8) information—

- (a) explaining the effect of such removal, and
- (b) reminding the absent voter that they may make a fresh application to vote by post, or in the case of an absent voter removed from the record kept under article 6(4) or the postal voters list kept under article 8(1) and (2), by proxy.

(11) Where an absent voter has provided the registration officer with a fresh signature in response to a notice issued by the registration officer under this paragraph, or in response to a notice issued by the registration officer under any other enactment following the rejection of the absent voter's postal voting statement at an election or referendum, the registration officer may use that signature and enter it in the records kept in accordance with paragraph 4 and articles 6(11), 7(7) and 10(13).

(12) In this paragraph, the “relevant record” means the record kept under article 6(4) or 10(6).

Records and lists kept under articles 6, 8 and 10

18.—(1) Any of the persons listed in sub-paragraph (2) entitled to copies of the full register in accordance with the provisions of regulations 103, 105, 106 and 108 of the 2001 Regulations⁽¹⁾, are also entitled, subject to this paragraph and paragraph 19, to request that the registration officer supply free of charge the relevant parts, within the meaning of the 2001 Regulations, of a copy of any information which the registration officer keeps in—

- (a) the current version of the information which would, in the event of a particular Senedd election, be included in the postal voters list, the list of proxies or the proxy postal voters

(1) S.I. 2001/341. Regulations 103, 105, 106 and 108 were added by S.I. 2002/1871. Regulations 103 and 108 were subsequently amended by S.I. 2018/1310 (as amended by regulation 2(2) of S.I. 2019/1389).

list which the registration officer is required to keep under article 8 or 10(8);

- (b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters list kept under article 8 or 10(8).

(2) The persons are—

- (a) each member of the Senedd for any constituency wholly or partly within the registration area,
- (b) an individual candidate or the candidate's agent,
- (c) a party list candidate or the election agent for a registered political party standing nominated, or
- (d) any person nominated to act for the purposes of this paragraph by the registered nominating officer of a registered political party, provided that not more than one person may be nominated in respect of the same registered political party and registration area.

(3) A request under sub-paragraph (1) must be made in writing and specify—

- (a) which records or lists, or the relevant parts of such records or lists, are requested,
- (b) whether the request is made only in respect of current lists or whether it includes a request for the supply of any final list, and
- (c) whether a printed copy of the records or lists is requested or a copy in data form.

(4) A person who obtains a copy of a list under this paragraph may use it only for the permitted purposes specified in paragraph 19, and subject to any restrictions—

- (a) specified in that paragraph, or
- (b) which would apply to the use of the full register under whichever of regulations 103, 105, 106 and 108 of the 2001 Regulations entitled that person to obtain that document.

(5) The registration officer must supply a current copy of relevant information requested under sub-paragraph (1)(a) or (b) as soon as practicable after receipt of a request that has been made correctly.

(6) The registration officer must supply a final copy of the postal voters list kept under article 8(1) and (2) as soon as practicable after 5.00 p.m. on the eleventh day before the date of the poll, in response to a request that has been duly made under sub-paragraph (1).

(7) As soon as practicable after 5.00 p.m. on the sixth day before the date of the poll, the registration officer must—

- (a) make a copy of the lists kept under articles 8 and 10(8) available for inspection at the

registration officer's office in accordance with sub-paragraphs (11) to (16), and

- (b) supply a final copy of the postal voters list or the list of proxies in response to every request that has been duly made under sub-paragraph (1).

(8) The registration officer must supply a final copy of the list of proxies kept under article 8(1) and (3), updated to include any additions to those lists made in consequence of any applications granted in accordance with paragraph 9, as soon as practicable after 5.00 p.m. on the date of the poll, to every person who received that list in accordance with sub-paragraph (7)(b).

(9) Any person who has obtained or is entitled to obtain a copy of information covered by sub-paragraph (1) may—

- (a) supply a copy of the information to a processor for the purpose of processing the information, or
- (b) procure that a processor processes and supplies to that person any copy of the information which the processor has obtained under this paragraph,

for use in respect of the purposes for which that person is entitled to obtain such information.

(10) The provisions contained in paragraphs (2), (3) and (9) of regulation 92 of the 2001 Regulations⁽¹⁾ apply to the supply and processing of information or lists supplied under this paragraph as they apply to the supply and processing of the full register.

(11) Any person is entitled to request that the registration officer make available for inspection a copy of any information specified in sub-paragraph (1).

(12) A request under sub-paragraph (11) must be made in writing and must specify—

- (a) the information, or relevant parts of the information, requested;
- (b) whether the request is made only in respect of the current lists or whether it includes a request for the inspection of any final list;
- (c) who will be inspecting the information;
- (d) the date on which the inspection of the information is to take place;
- (e) whether the inspection is to take printed or data form.

(1) Regulation 92 was added by S.I. 2002/1871. Paragraph (2) of regulation 92 was subsequently amended by paragraph 258 of Schedule 19 to the Data Protection Act 2018 (c. 12) and S.I. 2019/419. Other amendments have been made to regulation 92 that are not relevant here.

(13) The registration officer must make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request that has been duly made.

(14) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer must ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person, or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(15) A person who inspects a copy of the information, whether a printed copy or in data form, may not—

- (a) make copies of any part of it, nor
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(16) Subject to any direction by the Welsh Ministers under section 52(1) of the 1983 Act⁽¹⁾, any duty on a registration officer to supply a copy or make information available for inspection under this paragraph, imposes only a duty to provide that information in the form in which the registration officer holds it.

(17) For the purposes of this paragraph—

- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9.00 a.m. on the date it is supplied, and
- (b) any period of days must be calculated in accordance with paragraph 11(7).

(18) The registration officer must ensure that where information covered by sub-paragraph (1)(a) is supplied or disclosed in accordance with this paragraph, the registration officer does not supply or disclose any record relating to—

- (a) a person who has an anonymous entry, or
- (b) the proxy of a person who has an anonymous entry.

(1) Section 52(1) was amended by paragraph 12 of Schedule 4 to the Representation of the People Act 1985 (c. 50). The functions of the Secretary of State, insofar as they are exercisable within devolved competence, were transferred to the Welsh Ministers by article 45 of, and paragraph 1 of Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

Conditions on the use, supply and inspection of absent voter records or lists

19.—(1) The provisions of regulations 94 and 96 of the 2001 Regulations⁽¹⁾ apply to information covered by paragraph 18(1) as they apply to restrictions on the supply, disclosure and use of the full register, except that permitted purposes for the purpose of paragraph 18(1) means either—

- (a) purposes mentioned in article 89(1) of the UK GDPR⁽²⁾ (archiving in the public interest, scientific or historical research or statistics), or
- (b) electoral purposes.

(2) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018⁽³⁾.

Protection of information about persons aged under 16

20.—(1) Subject to sub-paragraph (2), a young person's information, other than any information by which the person's date of birth may be ascertained, may be disclosed in a version or copy of an absent voters record or list supplied in accordance with the relevant provisions of this Order in relation to Senedd elections, but only so far as it is necessary to do so for the purposes of, or in connection with, an election at which the person will be entitled to vote.

(2) Save for sub-paragraph (1), a registration officer must not publish, supply or otherwise disclose a young person's information, except in accordance with section 25, or regulations made under section 26, of the Senedd and Elections (Wales) Act 2020⁽⁴⁾.

(3) In this paragraph—

“absent voters record or list” (*“cofnod neu restr o bleidleiswyr absennol”*) is to be construed in accordance with section 24(2) of the Senedd and Elections (Wales) Act 2020, and also includes the records kept under articles 6(11) and 10(13);

(1) Regulations 94 and 96 were added by S.I. 2002/1871. Regulation 94 was subsequently amended by S.I. 2022/1382 and regulation 96 was subsequently amended by S.I. 2006/752.

(2) E.U. 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (United Kingdom General Data Protection Regulation), as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 (c. 16).

(3) 2018 c. 12. Section 3(1) was amended by S.I. 2019/419.

(4) 2020 anaw 1. Section 26 was amended by paragraph 15 of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1).

“young person's information” (*“gwybodaeth person ifanc”*) is to be construed in accordance with section 24(2) of the Senedd and Elections (Wales) Act 2020(1).

Marked register for polling stations

21. To indicate that an elector or an elector's proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” must be placed against the entry for that elector in any copy of the register, or part of it, provided for a polling station.

Certificate of employment at a Senedd election

22. The certificate as to the employment of constables and persons employed by a returning officer on the date of the poll at a Senedd election, to enable such a constable or person to vote elsewhere than at that person's own polling station, must be in form 2 set out in Welsh and English in Schedule 10 and must be signed, in the case of a constable, by an officer of a police force of or above the rank of inspector.

Notification by registration officer

23. Where a registration officer is required by this Schedule to notify any person, such notification must be in writing and may be sent by post—

- (a) in the case of a person other than a service voter, to the address provided by that person for the purpose of such notification or of any record or, if there is no such address, to the last known place of abode of that person;
- (b) in the case of a service voter, to any address provided by the service voter for the purpose of such notification or of any record, or to the address provided for the purpose by the appropriate government department, as defined by section 59(3B) of the 1983 Act(2) or the British Council.

SCHEDULE 2 Article 14(3)

Issue and receipt of postal ballot papers

Interpretation

1. For the purposes of this Schedule—

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- (1) Section 24(2) was amended by paragraph 15 of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1).
 - (2) Section 59(3B) was inserted by section 13 of the Electoral Administration Act 2006 (c. 22).

“agent” (*asiant*) includes an election agent and a person appointed to attend in the election agent's place;

“ballot paper envelope” (*amlen papur pleidleisio*) and “covering envelope” (*prif amlen*) means the envelopes referred to in paragraph 11;

“issue” (*dyroddiad*) includes the original and any subsequent issue;

“personal identifiers record” (*cofnod dynodyddion personol*) means the record kept in accordance with paragraph 4 of Schedule 1;

“postal ballot box” (*blwch pleidleisio drwy'r post*) means the ballot box referred to in paragraph 18(1)(b);

“postal voters' ballot box” (*blwch pleidleisio pleidleiswyr drwy'r post*) means the ballot box referred to in paragraph 18(1)(a);

“receptacle for ballot paper envelopes” (*daliedydd ar gyfer amlenni papurau pleidleisio*), “receptacle for postal voting statements (verification procedure)” (*daliedydd ar gyfer datganiadau pleidleisiau drwy'r post (y weithdrefn wirhau)*); “receptacle for rejected ballot paper envelopes” (*daliedydd ar gyfer amlenni papurau pleidleisio a wrthodwyd*); “receptacle for rejected votes” (*daliedydd ar gyfer pleidleisiau a wrthodwyd*) and “receptacle for rejected votes (verification procedure)” (*daliedydd ar gyfer pleidleisiau a wrthodwyd (y weithdrefn wirhau)*) means the receptacles referred to in paragraph 18(6);

“spoilt postal ballot paper” (*papur pleidleisio drwy'r post a ddifethwyd*) means a ballot paper referred to in paragraph 14(1);

“valid postal voting statement” (*datganiad pleidlais drwy'r post dilyd*) means a postal voting statement, which, in accordance with paragraph 23, the returning officer is satisfied has been duly completed.

Issue of postal ballot papers

Combination of polls

2. Where the polls at elections are taken together under article 15(1) (combination of polls at Senedd and local government elections), the proceedings on the issue and receipt of postal ballot papers in respect of each election may, if the returning officers for those elections agree, be taken together.

Form of postal voting statement

3.—(1) Where the poll at a Senedd election is taken alone, the postal voting statement sent with the postal ballot paper to a postal voter must be in form 3 set out in Welsh and English in Schedule 10.

(2) Where the proceedings on the issue and receipt of postal ballot papers at a Senedd election are taken together with those proceedings at a local government election under paragraph 2, the postal voting statement sent with the postal ballot papers to a postal voter must be in form 4 set out in Welsh and English in Schedule 10.

(3) Where the poll at a Senedd election is taken together with a poll at another election under article 15(1) or article 16(1) or (3), in any part of the constituency, but where the proceedings on the issue and receipt of postal ballot papers are not taken together under paragraph 2, the postal voting statement sent with the postal ballot paper to a postal voter for use in that part of the constituency in which polls at more than one election are taking place, must be in form 5 set out in Welsh and English in Schedule 10.

Persons entitled to be present at proceedings on issue of postal ballot papers

4.—(1) Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act⁽¹⁾ (representatives of the Electoral Commission and accredited observers), no person may be present at the proceedings on the issue of postal ballot papers other than the returning officer and members of the returning officer's staff.

(2) The returning officer must be the relevant officer for the purposes of section 6E of that Act (powers of the relevant officer to limit attendance and the conduct of observers).

Persons entitled to be present at proceedings on receipt of postal ballot papers

5.—(1) Subject to paragraph 6, without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act, only the following persons may be present at the proceedings on the receipt of postal ballot papers—

(1) 2000 c. 41. Sections 6A to 6E were inserted by section 29 of the Electoral Administration Act 2006 (c. 22). Section 6A was amended by paragraph 10 of Schedule 10 to Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 3 of Schedule 6 to the Recall of MPs Act 2015 (c. 25) and S.I. 2007/1388. Section 6C was amended by paragraph 5 of Schedule 2 to the Senedd and Elections (Wales) Act 2020 (anaw 1). Section 6D was amended by paragraph 6 of Schedule 2 to the Senedd and Elections (Wales) Act 2020.

- (a) the returning officer and returning officer's staff,
- (b) an individual candidate,
- (c) a party list candidate,
- (d) an election agent or any person appointed by—
 - (i) an individual candidate to attend in the place of the candidate's election agent, or
 - (ii) the election agent of a registered political party standing nominated, or any person appointed by the registered nominating officer of that party to attend in the place of that party's election agent, or
- (e) any agents appointed under paragraph 6.

(2) The returning officer must be the relevant officer for the purposes of section 6E of the 2000 Political Parties Act.

Appointment of agents to be present at proceedings on receipt of postal ballot papers

6.—(1) Subject to sub-paragraph (2), each—

- (a) individual candidate, and
- (b) election agent for a registered political party standing nominated,

who is entitled to be present at the proceedings on the receipt of postal ballot papers in accordance with paragraph 5, may appoint one or more agents to be present at those proceedings on their behalf.

(2) The returning officer may impose a limit on the number of agents that are appointed in accordance with sub-paragraph (1), but the maximum number of agents authorised by the returning officer must be the same in the case of each individual candidate or election agent for a registered political party standing nominated.

(3) Notice in writing of an appointment under sub-paragraph (1), stating the names and addresses of the persons appointed, must be given by the individual candidate or election agent to the returning officer before the time fixed for the opening of the postal voters' ballot boxes.

(4) If a notice of appointment under sub-paragraph (3) states more names than are authorised by the returning officer under sub-paragraph (2), the returning officer must, after consulting with the individual candidate or election agent who submitted the notice, determine which of the persons named in the notice are to be taken as having been appointed.

(5) Where the postal ballot papers for more than one election are issued together under paragraph 2, the returning officer to whom notice must be given under

sub-paragraphs (3), (6) and (7) is the returning officer who issues the postal ballot papers.

(6) If an agent (“A”) dies or becomes incapable of acting, the individual candidate or election agent for a registered political party may appoint another agent (“B”) in A’s place and must as soon as practicable, give the returning officer notice in writing of B’s name and address.

(7) Agents may be appointed and notice of appointment given to the returning officer by the election agent for an individual candidate who is authorised to make an appointment under sub-paragraph (1).

(8) In this Schedule, references to agents are to be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under sub-paragraph (1), who are within the number authorised by the returning officer.

(9) Any of the following persons, namely—

- (a) an individual candidate, or
- (b) the election agent of a registered political party standing nominated,

may do any act or thing which any agent of the individual candidate or of the registered political party, would have been authorised to do, or may assist the agent in doing any such act or thing.

(10) Where in this Schedule any act or thing is required or authorised to be done in the presence of the individual candidates or their agents or the agents of a registered political party standing nominated, the non-attendance of any such person at the time and place appointed for the purpose will not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

7. The returning officer must make arrangements to ensure that every person attending the proceedings in connection with the issue and receipt of postal ballot papers has been given a notice setting out the provisions of article 35(5) and (7) (requirement of secrecy).

Time when postal ballot papers are to be issued

8. Postal ballot papers and postal voting statements must be issued by the returning officer as soon as it is practicable to do so after the deadline for the delivery of nomination papers.

Procedure on issue of postal ballot paper

9.—(1) The number of the elector as stated in the register must be marked on the corresponding number

list, next to the number and unique identifying mark of the ballot paper issued to that elector.

(2) A mark must be placed in the postal voters list or the proxy postal voters list against the number of the elector to denote that a ballot paper has been issued to the elector or the elector's proxy, but without showing the particular ballot paper issued.

(3) The number of a postal ballot paper must be marked on the postal voting statement sent with that paper.

(4) Where postal ballot papers for more than one election are issued together under paragraph 2—

- (a) one mark must be placed in the postal voters list or the proxy postal voters list under sub-paragraph (2) to denote that ballot papers have been issued in respect of all of those elections, except that, where ballot papers are not so issued, a different mark must be placed in the postal voters list or proxy postal voters list to identify the election in respect of which the ballot paper was issued, and
- (b) the number of each ballot paper must be marked on the postal voting statement under sub-paragraph (3).

(5) Where the poll at a Senedd election is taken with the poll at another election under article 15(1) and (2), or article 16(1) or (3), but the proceedings on the issue and receipt of postal ballot papers are not taken together under paragraph 2, the colour of the postal ballot paper, or colours of the postal ballot papers, must also be marked on the postal voting statement sent with those papers or that paper.

(6) Subject to sub-paragraph (7), the address to which the postal ballot paper, postal voting statement and the envelopes referred to in paragraph 11 are to be sent is—

- (a) in the case of an elector, the address shown in the postal voters list;
- (b) in the case of a proxy, the address shown in the proxy postal voters list.

(7) Where a person has an anonymous entry in the register, the items specified in sub-paragraph (6) must be sent to the address to which postal ballot papers should be sent—

- (a) as shown in the record kept under article 6(4) or 10(6), or
- (b) as given in pursuance of an application made under article 7(1) or (2) or 10(4).

Refusal to issue postal ballot papers

10. Where a returning officer is satisfied that two or more entries in either the postal voters list or the proxy

postal voters list, or in each of those lists, relate to the same elector, the returning officer must not issue more than one ballot paper in respect of the same elector for the same Senedd election.

Envelopes

11.—(1) Sub-paragraphs (2) and (3) prescribe the requirements for the envelopes that must be issued to a postal voter by the returning officer in addition to the ballot paper, or ballot papers, and the postal voting statement issued in accordance with rule 32 of Schedule 5 (postal ballot papers).

(2) The returning officer must issue to a postal voter an envelope (referred to as a “covering envelope”) which must be marked with the letter “B” for the return of—

- (a) the postal ballot paper or ballot papers, and
- (b) the postal voting statement.

(3) The returning officer must also issue to a postal voter a smaller envelope (referred to as a “ballot paper envelope”) which must be marked with—

- (a) the letter “A”;
- (b) the words—
 - (i) “Amlen papur pleidleisio”, and
 - (ii) “Ballot paper envelope”;
- (c) the number of each ballot paper issued to the postal voter.

(4) Where the poll at a Senedd election is taken together with the poll at another election under article 15(1) and (2), or article 16(1) or (3), but the proceedings on the issue and receipt of postal ballot papers are not to be taken together under paragraph 2—

- (a) the envelope referred to in sub-paragraph (2) must also be marked—
 - (i) “Prif amlen ar gyfer y papur(au) pleidleisio lliw [nodwch liw'r papur(au) pleidleisio]”, and
 - (ii) “Covering envelope for the [insert colour of ballot paper(s)] coloured ballot paper(s)”;
- (b) on the envelope referred to in sub-paragraph (3), after the words—
 - (i) “Amlen papur pleidleisio” there must be added the words “ar gyfer y papur(au) pleidleisio lliw [nodwch liw'r papur(au) pleidleisio]”, and
 - (ii) “Ballot paper envelope” there must be added the words “for the [insert colour of ballot paper(s)] coloured ballot paper(s)”.

Security of marked lists

12.—(1) As soon as practicable after the issue of each batch of postal ballot papers, the returning officer must—

- (a) make up into a packet the completed corresponding number lists of those ballot papers which have been issued, and
- (b) seal the packet.

(2) Until the packet has been sealed in accordance with paragraph 21(9), the returning officer must take all proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list.

Delivery of postal ballot papers

13.—(1) For the purposes of delivering postal ballot papers, the returning officer may use—

- (a) a universal service provider,
- (b) a commercial delivery firm, or
- (c) persons appointed under rule 35(1) of Schedule 5 (appointment of presiding officers and clerks).

(2) Where the services of a universal service provider or commercial delivery firm are to be used, envelopes addressed to postal voters must be counted and delivered by the returning officer to the universal service provider or commercial delivery firm, together with a form of receipt which the returning officer must arrange for the universal service provider or commercial provider to endorse.

(3) Postage must be prepaid on envelopes addressed to the postal voters, except where sub-paragraph (1)(c) applies.

(4) Return postage must be prepaid on all covering envelopes where the address provided by the postal voter for the receipt of the postal ballot paper is within the United Kingdom.

Spoilt postal ballot paper

14.—(1) If a postal voter (“P”) has inadvertently dealt with P’s postal ballot paper or postal voting statement in a manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt postal ballot paper”) or a postal voting statement (referred to as “a spoilt postal voting statement”), P may return the spoilt postal ballot paper or the spoilt postal voting statement to the returning officer, either by hand or by post.

(2) Where P returns a spoilt postal ballot paper or spoilt postal voting statement in accordance with sub-paragraph (1), P must also return—

- (a) the postal ballot paper, or the postal voting statement, whether spoilt or not,
- (b) where postal ballot papers for more than one election have been issued together, including under paragraph 2, all other ballot papers so issued, whether spoilt or not, and
- (c) the envelopes supplied for the return of the documents mentioned in sub-paragraph (1) and paragraphs (a) and (b) of this sub-paragraph.

(3) Subject to sub-paragraph (4), where P returns the documents referred to in sub-paragraph (1), and, where applicable, sub-paragraph (2), to the returning officer, the returning officer must issue a replacement postal ballot paper or ballot papers.

(4) Where the returning officer receives the documents referred to in sub-paragraph (1) and, where applicable sub-paragraph (2), after 5.00 p.m. on the day before the day of the poll, the returning officer must only issue a replacement postal ballot paper or ballot papers if P has returned the documents by hand.

(5) Instead of delivering a replacement postal ballot paper in accordance with paragraph 13, where P applies in person—

- (a) by 5.00 p.m. on the day before the day of the poll, the returning officer may hand a replacement postal ballot paper to P, or
- (b) after 5.00 p.m. on the day before the day of the poll, the returning officer may only hand a replacement postal ballot paper to P.

(6) Paragraphs 5, 6, 7, 9, except sub-paragraph (2), 10 to 12 and, subject to sub-paragraph (5) of this paragraph, 13, apply to the issue of a replacement postal ballot paper under sub-paragraph (3).

(7) Any postal ballot paper or postal voting statement, whether spoilt or not, returned in accordance with sub-paragraph (1) or (2) must be immediately cancelled.

(8) As soon as practicable after cancelling those documents, the returning officer must make up those documents in a separate packet and must seal the packet.

(9) If on any subsequent occasion additional documents are cancelled in accordance with this paragraph, the sealed packet must be opened and the additional cancelled documents included in it and the packet must then be again made up and sealed.

(10) The returning officer must enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—

- (a) the name and number of the elector as stated in the register or, in the case of an elector who

- has an anonymous entry, the elector's electoral number alone,
- (b) the number of the postal ballot paper, or papers, issued under this paragraph, and
- (c) where the postal voter whose ballot paper is spoilt is a proxy, the proxy's name and address.

Lost postal ballot papers

15.—(1) Where a postal voter ("P") claims either to have lost or not to have received—

- (a) P's postal ballot paper,
- (b) P's postal voting statement, or
- (c) one or more of the envelopes supplied for their return,

by the fourth day before the day of the poll, P may apply, whether in person or otherwise, to the returning officer for a replacement ballot paper.

(2) An application by P under sub-paragraph (1) must include evidence of P's identity.

(3) Where P exercises the entitlement conferred by sub-paragraph (1), P must return the following items which P has received and which have not been lost—

- (a) the documents referred to in sub-paragraph (1), and
- (b) where postal ballot papers for more than one election have been issued together, including under paragraph 2, all other ballot papers so issued.

(4) Any postal ballot paper or postal voting statement returned in accordance with sub-paragraph (3) must be immediately cancelled.

(5) As soon as practicable after cancelling those documents, the returning officer must make up those documents in a separate packet and must seal the packet.

(6) If on any subsequent occasion additional documents are cancelled in accordance with this paragraph, the sealed packet must be opened and the additional cancelled documents included in it and the packet must then be again made up and sealed.

(7) Subject to sub-paragraph (8) where the application is received by the returning officer before 5.00 p.m. on the day of the poll and the returning officer—

- (a) is satisfied as to P's identity, and
- (b) has no reason to doubt that P has lost or did not receive the original postal ballot paper or the original postal voting statement or one or more of the envelopes provided for their return,

the returning officer must issue another postal ballot paper, or other postal ballot papers.

(8) The returning officer may refuse to issue another postal ballot paper if the returning officer has reason to doubt that the postal voter has either lost or has not received the original postal ballot paper or the original postal voting statement or one or more of the envelopes provided for their return.

(9) Where the application is received by the returning officer after 5.00 p.m. on the day before the day of the poll, the returning officer may only issue another postal ballot paper or other postal ballot papers, if P applies in person.

(10) The returning officer must enter in a list kept for the purpose (“the list of lost postal ballot papers”)—

- (a) the name and number of the elector as stated in the register or, in the case of an elector who has an anonymous entry, the elector’s electoral number alone,
- (b) the number of the postal ballot paper which has been lost or not received and of its replacement issued under this paragraph, and
- (c) where the postal voter is a proxy, the proxy’s name and address.

(11) Paragraphs 5, 6, 7, 9, except sub-paragraph (2), 10 to 12, and subject to sub-paragraph (12) of this paragraph, 13, apply to the issue of a replacement postal ballot paper under sub-paragraph (7).

(12) Instead of delivering a replacement postal ballot paper in accordance with paragraph 13, where P applies in person—

- (a) by 5.00 p.m. on the day before the day of the poll, the returning officer may hand a replacement postal ballot paper to P, or
- (b) after 5.00 p.m. on the day before the day of the poll, the returning officer may only hand a replacement postal ballot paper to P.

(13) Where the returning officer issues another postal ballot paper or other postal ballot papers, under sub-paragraph (7), the ballot paper which has been lost or not received must be cancelled and will have no effect.

(14) When dealing with lost postal ballot papers the returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this paragraph.

Cancellation of postal ballot papers

16.—(1) Where after the deadline for the delivery of nomination papers an application under—

- (a) article 6(5)(a) (application to remove a person from record of absent voters),
- (b) article 6(6) or 7(4)(b) (application to vote by proxy by person recorded as voting by post),
- (c) article 6(8) (application to vote by post by person recorded as voting by proxy),
- (d) article 7(4)(a) (application for ballot paper to be sent to a different address),
- (e) article 9(6) or (7) (application to vote by proxy),
- (f) article 10(7) (application from proxy postal voter for postal ballot paper to be sent to a different address), or
- (g) article 10(10)(a) (application from proxy postal voter to be removed from the record of postal proxies),

is granted, or a notice under article 9(9) (cancellation of proxy appointment) is received, and the application or notice is not to be disregarded for the purposes of the election under paragraph 11 of Schedule 1 (closing dates for absent vote applications), the registration officer must notify the returning officer who must immediately cancel any postal ballot paper issued to the elector or proxy and, in the case of an application mentioned in paragraph (d) or (f) of this sub-paragraph, must issue a replacement ballot paper.

(2) Where a person returns a postal ballot paper that has been or is to be cancelled, whether to the registration officer or the returning officer, it must be dealt with as follows—

- (a) the ballot paper, together with any other ballot papers, postal voting statements or covering envelopes which are returned to the registration officer, must be given by the registration officer to the returning officer;
- (b) any document returned in accordance with this sub-paragraph but not cancelled in accordance with sub-paragraph (1) must be immediately cancelled;
- (c) as soon as practicable after cancelling those documents, the returning officer must make up those documents in a separate packet, and must seal the packet, and if on any subsequent occasion additional documents are returned in accordance with this paragraph, the sealed packet must be opened and the additional cancelled documents included in it and the packet must then be again made up and sealed.

(3) The returning officer must enter in a list kept for the purpose of recording postal ballot papers cancelled under this paragraph (“the list of cancelled postal ballot papers”)—

- (a) the name and number of the elector as stated in the register or, in the case of an elector who has an anonymous entry, the elector's electoral number alone,
- (b) the number of the cancelled postal ballot paper,
- (c) the number of any replacement ballot paper issued under sub-paragraph (1), and
- (d) where the postal voter is a proxy, the proxy's name and address.

(4) Paragraphs 5, 6, 7, 9, except sub-paragraph (2), 10 to 13 apply to the issue of a replacement postal ballot paper under sub-paragraph (1).

Receipt of postal ballot papers

Notice of opening of postal ballot paper envelopes

17.—(1) The returning officer must give not less than 48 hours' notice in writing of each occasion on which a postal voters' ballot box and the envelopes contained in it are to be opened to—

- (a) each individual candidate,
 - (b) each party list candidate, and
 - (c) the election agent for each registered political party standing nominated.
- (2) A notice under sub-paragraph (1) must specify—
- (a) the time and place at which the opening of the box and envelopes is to take place, and
 - (b) the number of agents an individual candidate or registered political party may appoint under paragraph 6 to attend each opening.

Postal ballot boxes and receptacles

18.—(1) The returning officer must provide a separate ballot box for the reception of—

- (a) the covering envelopes when returned by the postal voters (“postal voters' ballot box”), and
 - (b) postal ballot papers (“postal ballot box”).
- (2) The returning officer must mark—
- (a) the postal voters ballot box with the words “blwch pleidleisio pleidleiswyr drwy'r post” or the words “postal voters ballot box” or both,
 - (b) the postal ballot box with the words “blwch pleidleisio drwy'r post” or the words “postal ballot box” or both, and
 - (c) both boxes with the name of the constituency for which the election is, or elections are, held.

(3) When the first postal voters' ballot box is opened, the postal ballot box must be shown to the agents present so that they may see that it is empty.

(4) The returning officer must then—

- (a) lock up the postal ballot box, if it has a lock, and
- (b) place the returning officer's seal on it, in a way as to prevent it being opened without breaking the seal, and any of the agents present who wish to add their seals may then do likewise.

(5) If it becomes necessary to use more than one postal ballot box, each additional postal ballot box used must be shown to the agents present so that they may see that it is empty, and the returning officer must then—

- (a) lock up the postal ballot box, if it has a lock, and
- (b) place the returning officer's seal on it, in a way as to prevent it being opened without breaking the seal, and any of the agents present who wish to add their seals may then do likewise.

(6) The returning officer must provide the following receptacles—

- (a) the receptacle for rejected votes,
- (b) the receptacle for ballot paper envelopes,
- (c) the receptacle for rejected ballot paper envelopes,
- (d) the receptacle for rejected votes (verification procedure), and
- (e) the receptacle for postal voting statements (verification procedure).

(7) The returning officer must take proper precautions for the safe custody of every ballot box and receptacle referred to in this paragraph.

Receipt of covering envelope

19.—(1) Where, before the close of the poll, the returning officer receives—

- (a) a covering envelope, or
- (b) an envelope which is stated to include a postal vote,

the returning officer must immediately place that envelope unopened in a postal voters' ballot box.

(2) Where an envelope, other than a covering envelope issued by the returning officer—

- (a) has been opened, and
- (b) contains a ballot paper envelope, postal voting statement or ballot paper,

the first-mentioned envelope, together with its contents, must be placed in a postal voters' ballot box.

(3) The returning officer may collect, or cause to be collected, any postal ballot paper or postal voting statement which by virtue of rule 55 of Schedule 5 (procedure on close of poll) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to the returning officer.

(4) Where the returning officer collects, or causes to be collected, any postal ballot paper or postal voting statement in accordance with sub-paragraph (3), the presiding officer must first make it, or them, up into a packet, or packets, sealed with the presiding officer's own seal and the seals of any polling agents as are present and who wish to add their seals.

Opening of postal voters' ballot box

20.—(1) Each postal voters ballot box must be opened by the returning officer in the presence of any agents, if in attendance.

(2) So long as the returning officer ensures that there is at least one sealed postal voters ballot box for the reception of covering envelopes up to the time of the close of the poll, the returning officer may open the other postal voters ballot boxes prior to that time.

(3) The last postal voters ballot box and all postal ballot boxes must be opened at the counting of the votes under rule 58 of Schedule 5 (the count: steps).

Opening of covering envelopes

21.—(1) When a postal voters' ballot box is opened, the returning officer must count and record the number of covering envelopes, including any envelope which is stated to include a postal vote and any envelope described in paragraph 19(2).

(2) The returning officer must open separately each covering envelope, including an envelope described in paragraph 19(2).

(3) The procedure in paragraph 23 applies where a covering envelope, including an envelope described in paragraph 19(2), contains a postal voting statement.

(4) Where the covering envelope does not contain the postal voting statement separately, the returning officer must open the ballot paper envelope to ascertain whether the postal voting statement is inside.

(5) Where a covering envelope does not contain a postal voting statement, whether separately or not, the returning officer must mark the covering envelope with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both, attach its contents, if any, and place it in the receptacle for rejected votes.

(6) In carrying out the procedures in this paragraph and paragraphs 23 to 27 the returning officer and the returning officer's staff—

- (a) must keep the ballot papers face downwards and take all proper precautions to prevent any person from seeing the votes made on the ballot papers, and
- (b) must not be permitted to view the corresponding number list used at the issue of postal ballot papers.

(7) Where an envelope opened in accordance with sub-paragraph (2) sub-contains a postal voting statement, the returning officer must place a mark in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(8) A mark made under sub-paragraph (7) must be distinguishable from and must not obscure the mark made under paragraph 9.

(9) As soon as practicable after the last covering envelope has been opened, the returning officer must make up into a packet the copies of the marked postal voters list and proxy postal voters list that have been marked in accordance with sub-paragraph (7), and must seal the packet.

Confirming receipt of postal voting statements

22.—(1) An elector or a proxy voter who is shown in the postal voters list or proxy postal voters list may make a request, at any time between the first issue of postal ballots under paragraph 9 and the close of poll, that the returning officer confirm—

- (a) whether a mark is shown in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned, and
- (b) whether the number of the ballot paper or papers issued to the elector or the elector's proxy has been recorded on any of the lists of provisionally rejected votes kept by the returning officer under paragraph 26.

(2) A request under sub-paragraph (1) must—

- (a) be made by any method specified by the returning officer, and
- (b) include any evidence of the voter's identity requested by the returning officer.

(3) Where a request is received in accordance with sub-paragraph (2), before the returning officer provides confirmation of the matters under sub-paragraph (1), the returning officer must be satisfied

that the request has been made by the elector or the elector's proxy.

(4) When dealing with requests under sub-paragraph (1), the returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this paragraph.

Procedure in relation to postal voting statements: personal identifier verification

23.—(1) This paragraph applies in the circumstances described in paragraph 21(3) (covering envelope contains a postal voting statement).

(2) The returning officer must be satisfied that the postal voting statement is duly completed, and as part of that process must compare the date of birth and the signature on the postal voting statement against the date of birth and signature contained in the personal identifiers record relating to the person to whom the postal ballot paper was addressed.

(3) Where the returning officer is not satisfied that the postal voting statement is duly completed, the returning officer must mark the statement with the word “gwrthodwyd” or the word “rejected” or both, attach to it the ballot paper envelope, or if there is no envelope but there is a ballot paper, the ballot paper, and subject to sub-paragraph (5), place it in the receptacle for rejected votes (verification procedure).

(4) Where the returning officer is not satisfied that the postal voting statement is duly completed but there is neither a ballot paper envelope nor a ballot paper, the returning officer must, subject to sub-paragraph (5), place the statement as it is in the receptacle for rejected votes (verification procedure).

(5) Before placing any postal voting statement in the receptacle for rejected votes (verification procedure), the returning officer must—

- (a) show it to any agents present,
- (b) permit them to view the entries in the personal identifiers record which relate to the person to whom the postal voting statement was addressed, and
- (c) if any of them object to the returning officer's decision, add the words “gwrthwynebwyd y gwrthodiad” or the words “rejection objected to” or both, to the postal voting statement.

(6) Where the returning officer is satisfied that the postal voting statement is duly completed, the returning officer must examine the number, or numbers, on the postal voting statement against the number, or numbers, on the ballot paper envelope and, where they are the same, the returning officer must place—

- (a) the statement in the receptacle for postal voting statements (verification procedure);
 - (b) the ballot paper envelope in the receptacle for ballot paper envelopes.
- (7) The returning officer must open the ballot paper envelope where—
- (a) the number on a valid postal voting statement is not the same as the number on the ballot paper envelope, or
 - (b) the envelope has no number on it, or only one number when the postal voting statement has more than one.
- (8) Sub-paragraph (9) applies where—
- (a) there is a valid postal voting statement but no ballot paper envelope, or
 - (b) the ballot paper envelope has been opened under sub-paragraph (7) or paragraph 21(4).
- (9) In the circumstances described in sub-paragraph (8), the returning officer must place—
- (a) in the postal ballot box, any ballot paper the number on which is the same as the number, or one of the numbers, on the valid postal voting statement;
 - (b) in the receptacle for rejected votes (verification procedure), any other ballot paper, with the postal voting statement attached and marked with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both;
 - (c) in the receptacle for rejected votes (verification procedure), any valid postal voting statement marked “provisionally rejected” where—
 - (i) there is no ballot paper, or
 - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, the returning officer must mark the statement to indicate which ballot paper is missing;
 - (d) in the receptacle for postal voting statements (verification procedure), any valid statement not disposed of under paragraph (b) or (c) of this sub-paragraph.

Opening of ballot paper envelopes

24.—(1) The returning officer must open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) The returning officer must place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number, or one of the numbers, on the ballot paper envelope;
- (b) in the receptacle for rejected votes, any other ballot paper, which must be marked with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both, and to which must be attached the ballot paper envelope;
- (c) in the receptacle for rejected ballot paper envelopes, any ballot paper envelope which must be marked with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both, because it does not contain either a ballot paper or, where more than one number appears on the ballot paper envelope, a sufficient number of ballot papers, and state, in such a case, the missing ballot paper or papers.

Retrieval of cancelled postal ballot papers

25.—(1) The returning officer must comply with sub-paragraphs (2) and (3) where it appears to the returning officer that a cancelled postal ballot paper has been placed—

- (a) in a postal voters ballot box,
- (b) in the receptacle for ballot paper envelopes, or
- (c) in a postal ballot box.

(2) The returning officer must, on at least one occasion on which a postal voters ballot box is opened in accordance with paragraph 20, also open any postal ballot box and the receptacle for ballot paper envelopes and—

- (a) retrieve the cancelled ballot paper,
- (b) show the ballot paper number on the cancelled ballot paper to any agents present,
- (c) retrieve the postal voting statement that relates to a cancelled ballot paper from the receptacle for postal voting statements (verification procedure),
- (d) attach any cancelled postal ballot paper to the postal voting statement to which it relates,
- (e) place the cancelled documents in a separate packet and deal with that packet in the manner provided for by paragraph 14(8) or 16, and
- (f) unless the postal ballot box has been opened for the purposes of counting the votes under rule 58 of Schedule 5 (the count: steps), reseal the postal ballot box in the presence of the agents.

(3) Whilst retrieving cancelled ballot papers in accordance with sub-paragraph (2), the returning officer and the returning officer's staff—

- (a) must keep the ballot papers face downwards and must take all proper precautions for preventing any person seeing the votes made on the ballot papers, and
- (b) must not be permitted to view the corresponding number list used at the issue of postal ballot papers.

Lists of rejected postal ballot papers

26.—(1) In respect of any election, the returning officer must keep three separate lists relating to rejected postal ballot papers.

(2) In the first list, the returning officer must record the ballot paper number of any postal ballot paper which is not accompanied by a valid postal voting statement.

(3) In the second list, the returning officer must record the ballot paper number of any postal ballot paper which is entered on a valid postal voting statement where that ballot paper is not received with the postal voting statement.

(4) In the third list, the returning officer must record for every postal voting statement within the receptacle for rejected votes (verification procedure) immediately prior to sealing—

- (a) the elector's name and address, and the name and address of the proxy if the elector has a proxy,
- (b) the elector's number on the register of electors, and that of the proxy if the elector has a proxy,
- (c) the specified reason or reasons for the rejection of the postal voting statement, and
- (d) any other information relating to the rejection of the postal voting statement that the returning officer considers appropriate, but not the ballot paper number.

(5) The specified reasons that may be given under sub-paragraph (4)(c) for the rejection of a postal voting statement are—

- (a) the signature does not match the example held on the personal identifiers record;
- (b) the date of birth does not match the one held on the personal identifiers record;
- (c) the signature field is blank;
- (d) the date of birth field is blank.

Checking of lists kept under paragraph 26

27.—(1) Where the returning officer receives a valid postal voting statement without the postal ballot paper, or papers, or all of the papers, to which it relates, the returning officer may, at any time prior to the close of the poll, check the list kept under paragraph 26(2) to see whether the number, or numbers, of a postal ballot paper to which the statement relates is or are entered in that list.

(2) Where the returning officer receives a postal ballot paper without the postal voting statement relating to it, the returning officer may, at any time prior to the close of the poll, check the list kept under paragraph 26(3) to see whether the number of that ballot paper is entered in that list.

(3) The returning officer must conduct the checks required by sub-paragraphs (1) and (2) as soon as practicable after the receipt of packets from every polling station under rule 55 of Schedule 5 (procedure on close of poll).

(4) Where the ballot paper number in the list matches that number on a valid postal voting statement or the postal ballot paper, the returning officer must retrieve that statement or paper.

(5) The returning officer must then take the appropriate steps under this Schedule as though any document earlier marked with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both, had not been so marked and must amend the document accordingly.

Sealing of receptacles

28.—(1) As soon as practicable after the completion of the procedure under paragraph 27(3) to (5), the returning officer must make up into separate packets the contents of—

- (a) the receptacle for rejected votes,
- (b) the receptacle for rejected ballot paper envelopes,
- (c) the lists of spoilt, lost and cancelled postal ballot papers,
- (d) the receptacle for rejected votes (verification procedure), and
- (e) the receptacle for postal voting statements (verification procedure).

(2) After making up the packets in accordance with sub-paragraph (1), the returning officer must seal the packets.

(3) Any documents in those packets marked with the words “gwrthodwyd dros dro” or the words “provisionally rejected” or both, are to be deemed to be

marked with the word “gwrthodwyd” or the word “rejected” or both.

Abandoned poll

29.—(1) Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the returning officer—

- (a) must not take any step or further step to open covering envelopes or deal with the contents in accordance with the provisions of this Schedule, and
- (b) must, notwithstanding paragraphs 21 to 25, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers (see rules 66 and 67 of Schedule 5).

(2) Sub-paragraph (1) does not apply where postal ballot papers for more than one election have been issued together under paragraph 2.

Forwarding of documents

30.—(1) At the same time as the returning officer forwards the documents mentioned in rule 67 of Schedule 5 (delivery of documents to registration officer at contested elections) to the relevant registration officer, the returning officer must also forward to the same registration officer—

- (a) any packets referred to in paragraphs 12, 14(8), 15(5), 16(2), 21(9) and 28, subject to paragraph 29, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency for which the election, or elections, was, or were, held,
- (b) a completed statement of postal ballot papers in form 6 set out in Welsh and English in Schedule 10, and
- (c) subject to sub-paragraph (2), the list required to be compiled under paragraph 26(4).

(2) Where a Senedd constituency comprises the area of more than one local authority, the returning officer must forward a copy of such extracts of the lists required to be compiled under paragraph 26(4) as are relevant, to each of the registration officers concerned.

(3) Where the poll at a Senedd election is to be taken together with the poll at a police and crime commissioner election under article 16, a separate statement in the form described in sub-paragraph (1)(b) must be completed for the Senedd election.

(4) Where—

- (a) any covering envelopes are received by the returning officer after the close of the poll, apart from those delivered in accordance with rule 55(3)(g) of Schedule 5,
- (b) any envelopes addressed to postal voters are returned as undelivered too late to be readdressed, or
- (c) any spoilt postal ballot papers are returned too late to enable other postal ballot papers to be issued,

the returning officer must put them unopened in a separate packet, seal up the packet and endorse and forward it at a subsequent date in the manner described in sub-paragraph (1).

(5) Rules 66 and 67 of Schedule 5 (sealing up of ballot papers and delivery of documents to registration officer) apply to any packet or document forwarded under this paragraph except that in applying those rules to the list compiled under paragraph 26(4), the list and any extracts from it are to be treated as if they were a counted ballot paper.

(6) The returning officer must provide a copy of the statement referred to in sub-paragraph (1)(b) to the Electoral Commission, at least 10, but not more than 25, days after the day of the poll.

SCHEDULE 3 Article 15(4)

Combination of polls: Senedd and local government elections

PART 1

General

Returning officers and polling stations

1. Where the polls at a Senedd general election and a local government election are taken together under article 15(1)—

- (a) those functions of the returning officer at the local government election which are specified in paragraph 2 must be discharged by the returning officer for a Senedd constituency for such part of the local government area as is situated in the constituency, and
- (b) only polling stations used for the Senedd general election are to be used for the local government election.

Functions at combined polls

2.—(1) The functions referred to in paragraph 1 are the functions conferred—

- (a) in the case of a Senedd election—
 - (i) by Schedule 5 and which are specified in sub-paragraph (2), and
 - (ii) by paragraph 19(3) of Schedule 2 (collection of postal ballot papers etc. from polling stations), and
- (b) in the case of a local government election, by those rules made under section 36A of the 1983 Act⁽¹⁾ which correspond to the provisions specified in sub-paragraph (2),

and where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 2, the functions conferred by that Schedule and by Part 5 of the 2001 Regulations (issue and receipt of postal ballot papers).

(2) The functions referred to in sub-paragraph (1) are those functions in Schedule 5 conferred by—

- (a) rule 27 (corresponding number list);
- (b) rule 31(2) (notice of situation of polling stations etc);
- (c) rule 32 (postal ballot papers) where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 2 and rule 58 (the count; steps) of Schedule 5;
- (d) rule 33 (return of postal ballot papers) where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 2;
- (e) rule 34 (provision of polling stations);
- (f) rule 35(1) and (2) (appointment of presiding officers and clerks) to the extent that the paragraph concerns the appointment of presiding officers and clerks to assist them;
- (g) rule 37 (equipment of polling stations) as modified by paragraph 8 of this Schedule;
- (h) rule 40(1) (notification of requirement of secrecy at polling station);
- (i) rule 41(6) (surrender of certificate as to employment);
- (j) rule 42(3)(b) (authorisation to order removal from polling station);

(1) 1983 c. 2. Section 36A was inserted by section 13(3) of the Local Government and Elections (Wales) Act 2021 (asc 1).

- (k) paragraphs (2) to (6) of rule 58 (the count: steps) as modified by paragraph 19 of this Schedule.

Modification of provisions about expenses in this Order and the 1983 Act

3.—(1) Sub-paragraph (2) applies where those functions of a returning officer at an election which are specified in paragraph 2 are discharged by the returning officer at another election under paragraph 1.

(2) References to the returning officer or the returning officer's charges or expenditure—

- (a) in article 23(1) to (5) and (7) to (9) (payments by and to returning officer),
- (b) in article 24 (detailed assessment of returning officer's account), and
- (c) in section 36C of the 1983 Act⁽¹⁾ (expenses at local elections),

are, to the extent that such functions are discharged in accordance with paragraph 1, to be construed as references to the returning officer who discharges those functions and that returning officer's charges or expenditure in respect of those functions.

(3) The references in section 36C(3) of the 1983 Act to the returning officer or person acting as returning officer requesting an advance in respect of their expenses are, to the extent that those expenses relate to the functions specified in paragraph 2, to include a reference to the returning officer who under paragraph 1 discharges those functions at the local government election.

(4) In relation to elections the polls at which are taken together under article 15(1), the Welsh Ministers may under article 23(1) include special provision—

- (a) for services properly rendered, or expenses properly incurred, in respect of the discharge of functions specified in paragraph 2 by the returning officer who discharges those functions by virtue of paragraph 1, and
- (b) in respect of the remuneration of presiding officers and clerks in connection with those functions.

(5) In relation to elections the polls at which are taken together under article 15(1), a county or county borough council may, in fixing a scale under—

- (a) section 36C(1) of the 1983 Act (fixing a scale at an election to the council etc), or

⁽¹⁾ Section 36C was inserted by paragraph 2 of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1).

- (b) section 36C(2) of that Act (fixing a scale at an election for a community within the area of the council etc),

include special provision for expenses incurred in respect of the discharge of functions specified in paragraph 2 by the returning officer who discharges those functions by virtue of paragraph 1, and in respect of the remuneration of presiding officers and clerks in connection with those functions.

PART 2

Modifications to Schedule 5 to apply where the poll at a Senedd general election is taken together with a poll at a local government election under article 15(1)

Modifications to Schedule 5: general provision

4. Where the poll at a Senedd general election is taken with the poll at a local government election under article 15(1), the Senedd election rules in Schedule 5 have effect subject to the modifications set out in the remaining paragraphs of this Part.

Rule 27A (colour of ballot papers)

5. Schedule 5 is to be read as if after rule 27 (corresponding number list) there were inserted—

“Colour of ballot papers

27A. Where the poll at a Senedd election is taken together with the poll at a local government election, the ballot paper to be used at the Senedd election must be of a different colour from that of any ballot paper to be used at the local government election.”

Rule 31 (notice of poll)

6. Rule 31 is to be read as if after paragraph (4) there were inserted—

“(5) Where the poll at a Senedd election is taken together with a poll at a local government election, the notice published under paragraph (2) must—

- (a) state that the poll at the Senedd election is to be taken together with the poll at a local government election,
- (b) specify the relevant local authority and the electoral area for which the election is held, and

- (c) specify the part of the Senedd constituency in which the polls are to be taken together.”

Rule 36 (issue of official poll cards)

7. Rule 36 is to be read as if after paragraph (6) there were inserted—

“(6A) Where a poll at a Senedd election is taken together with a poll at a local government election, an official poll card issued under this rule may be combined with an official poll card issued at the local government election.”

Rule 37 (equipment of polling stations)

8.—(1) Rule 37 is to be read as if after paragraph (2) there were inserted—

“(2A) The same ballot box may be used for the poll at the Senedd election and for the poll at the local government election.

(2B) Where the same ballot box is not used under paragraph (2A) each ballot box must be clearly marked with—

- (a) the election to which it relates, as shown on the ballot papers for that election, and
- (b) the words “Rhowch y papur pleidleisio [nodwch liw'r papurau pleidleisio o dan sylw] yma. Place the [specify the colour of the ballot papers in question] ballot paper here.””

(2) Where the poll at a local government election is being conducted by a simple majority system, in rule 37, paragraph (12) is to be read as if there were substituted for that paragraph—

“(12) Where the poll at a Senedd election is taken together with a poll at a local government election, a notice containing the following information must be exhibited inside each voting compartment in each polling station—

- (a) in respect of a Senedd election—

“Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Vote only once on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.”;

- (b) in respect of a local government election—

- (i) where there is more than one candidate to be returned for an electoral area—

“Peidiwch â phleidleisio dros fwy na(g) ... o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [lliw'r papur pleidleisio]. Peidiwch â rhoi unrhyw farciau eraill ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidleisiau eu cyfrif.

Vote for no more than ... candidates on the local government ballot paper coloured [colour of ballot paper]. Put no other marks on the ballot paper or your votes may not be counted.”, or

- (ii) where there is one candidate to be returned for an electoral area—

“Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [lliw' papur pleidleisio]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Vote for no more than one candidate on the local government ballot paper coloured [colour of ballot paper]. Put no other mark on the ballot paper or your vote may not be counted.”

(3) Where the poll at a local government election is being conducted by a single transferable vote system, in rule 37, paragraph (12) is to be read as if there were substituted for that paragraph—

“(12) Where the poll at a Senedd election is taken together with a poll at a local government election, a notice containing the following information must be exhibited inside each voting compartment in each polling station—

- (a) in respect of a Senedd election—

“Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Vote only once on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.”;

- (b) in respect of a local government election—

“Rhifwch yr ymgeiswyr yn nhrefn eich dewis yn y blychau pleidleisio gyferbyn â’r ymgeiswyr.

Gallwch ddewis cynifer neu gyn lleied ag y dymunwch.

Rhowch y rhif 1 yn y blwch pleidleisio gyferbyn â’ch dewis cyntaf.

Rhowch y rhif 2 yn y blwch pleidleisio gyferbyn â’ch ail ddewis.

Rhowch y rhif 3 yn y blwch pleidleisio gyferbyn â’ch trydydd dewis. Ac yn y blaen.

Number the candidates in the order of your choice in the voting boxes opposite the candidates.

You can make as many or as few choices as you want to.

Put the number 1 in the voting box next to your first choice.

Put the number 2 in the voting box next to your second choice.

Put the number 3 in the voting box next to your third choice. And so on.””

Rule 38 (appointment of polling and counting agents)

9. Rule 38 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a local government election, notices of the appointment of polling agents which are required by paragraphs (3) to (5) to be given to the returning officer, must be given to the returning officer who discharges the functions specified in paragraph 2 of Schedule 3.”

Rule 41 (admission to polling station)

10. Rule 41 is to be read as if after paragraph (1)(j) there were inserted—

“(k) persons entitled to be admitted to the polling station at the local government election.”

Rule 44 (questions to be put to voters)

11. Questions 1(b), 2(a) and (b), 3(b) and 4 in column (2) of Table 1 in rule 44(4), are to be read as if before the word “election” there is inserted the word “Senedd”.

Rule 46 (voting procedure)

12. Rule 46 is to be read as if after paragraph (7) there were inserted—

“(7A) Where the poll at a Senedd election is taken together with a poll at a local government election, the same copy of the registration records may be used under paragraph (2) for each election and—

- (a) one mark may be placed in those records under paragraph (2)(d) or in the list of proxies under paragraph (2)(e) to denote that a ballot paper has been received in respect of each election, and
- (b) where a ballot paper has not been issued in respect of each election, a different mark must be placed in the registration records or list of proxies so as to identify the election in respect of which the ballot paper was issued.”

Rule 47 (voters with a disability or unable to read: marking of votes by presiding officer)

13. Rule 47 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a local government election, the same list of votes marked by the presiding officer may be used for each election and, where it is so used, an entry in that list is to be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which a ballot paper was so marked.”

Rule 48 (voters with a disability or unable to read: assistance of companions)

14. In rule 48, paragraph (5) is to be read as if there were substituted for that paragraph—

“(5) Where the poll at a Senedd election is taken together with the poll at a local government election, the companion’s declaration must be—

- (a) in form 21 set out in Welsh and English in Schedule 10, and

- (b) given to the presiding officer who must attest and retain it.”

Rule 49 (voting with the assistance of a companion: supplemental provision)

15. Rule 49 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with the poll at a local government election, the same list of voters with disabilities assisted by companions may be used for each election.

(7) Where the same list is used under paragraph (6), an entry in that list is to be taken to mean the votes were given in respect of each election, unless the list identifies the election at which a vote was so given.”

Rule 51 (tendered ballot papers: duties of presiding officer)

16. Rule 51 is to be read as if after paragraph (6) there were inserted—

“(7) Where the poll at a Senedd election is taken together with a poll at a local government election, the same tendered votes list may be used for each election.

(8) Where the same list is used under paragraph (7), an entry in that list is to be taken to mean that tendered ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.”

Rule 53 (correction of errors on the day of poll)

17. Rule 53 is to be read as if for that rule there were substituted—

“Correction of errors on the day of poll

53.—(1) The presiding officer must keep a list of persons to whom ballot papers are given in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

(2) Where the poll at a Senedd election is taken together with a poll at a local government election, the same list may be used for each election and, where it is so used, an entry in that list is to be taken to mean that ballot papers were issued in respect of each election, unless the list identifies the election for which a ballot paper was issued.”

Rule 55 (procedure on close of poll)

18. Rule 55 is to be read as if after paragraph (3) there were inserted—

“(3A) Where the poll at a Senedd election is taken together with a poll at a local government election, the contents of the packets referred to in paragraph (3)(a), (b), (d) and (e) must not be combined with the contents of packets made under the corresponding rule that applies at a local government election, nor must the statement prepared under paragraph (8) be so combined.”

Rule 58 (the count: steps)

19. Rule 58 is to be read as if for that rule there were substituted—

“The count: steps

58.—(1) Where the poll at a Senedd election is taken together with the poll at a local government election, the returning officer must take the following steps.

(2) The returning officer must, in the presence of the counting agents appointed for the purposes of the Senedd and local government elections, open each ballot box, take out the ballot papers, count them and separately record the number of ballot papers for each election.

(3) The returning officer must not count any tendered ballot papers.

(4) The returning officer must, in the presence of the election agents appointed for the purposes of the Senedd and local government elections verify each ballot paper account by comparing it with the number of ballot papers recorded, the unused and spoilt ballot papers in the returning officer’s possession and the tendered votes list, opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list.

(5) The returning officer must prepare a statement as to the result of the verifications and give a copy of the statement to any election agent who requests it.

(6) The returning officer must also—

(a) count the postal ballot papers that have been properly returned (see paragraph (8)) and separately record the number counted at each election,

(b) separate the ballot papers relating to each election,

- (c) make up into packets the ballot papers for each election other than the Senedd elections, and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate,
- (d) deliver, or cause to be delivered, to the returning officer at the election to which the ballot papers relate—
 - (i) those containers mentioned in subparagraph (c), together with a list of them and of the contents of each, and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election, and
- (e) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing—
 - (i) the unused and spoilt ballot papers,
 - (ii) the tendered ballot papers, and
 - (iii) the completed corresponding number lists and the certificates as to employment on duty on the day of the poll.

(7) Where separate ballot boxes have been used for Senedd and local government elections, no vote is to be rendered invalid solely by the ballot paper being placed in the wrong ballot box.

(8) A postal ballot paper is to be treated as properly returned if the ballot paper and the accompanying postal voting statement properly completed are—

- (a) handed in at a polling station before the close of the poll,
- (b) given by hand to the returning officer before the close of the poll, or
- (c) received by the returning officer by post before the close of the poll.

(9) A postal voting statement is properly completed if—

- (a) it is signed by the elector or the proxy, unless the registration officer has dispensed with the requirement for a signature,
- (b) it states the date of birth of the elector or the proxy, and
- (c) in a case where the returning officer is required to take steps to verify the

date of birth and signature of an elector or proxy in accordance with paragraph 23 of Schedule 2, the returning officer has taken those steps and verified the date of birth and, except in a case where the requirement for a signature has been dispensed with, the signature.

(10) Where, at the close of the poll, a person is in the polling station, or in a queue outside the polling station, for the purpose of handing in a postal ballot paper and postal voting statement—

- (a) the person must be permitted to hand the ballot paper and statement in at the polling station, and
- (b) where handed in, they are to be treated as having been handed in before the close of the poll for the purposes of this rule.

(11) The returning officer must not count the votes given on any ballot paper in relation to a Senedd election until—

- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

(12) While counting and recording the number of ballot papers and counting the votes, the returning officer must—

- (a) keep the ballot papers with their faces upwards, and
- (b) take such other precautions as are appropriate for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.”

Rule 72 (death of candidate)

20. Rule 72 is to be read as if after paragraph (5) there were inserted—

“(6) Neither the countermand of the notice of poll at the Senedd election nor a direction that the poll be abandoned affects the poll at the local government election.”

Rule 73 (abandoned poll)

21. Rule 73 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a local government election and the poll at the Senedd election is abandoned in accordance with rule 72(1)(b) (by reason of an individual candidate's death)—

- (a) the steps required to be taken by the presiding officer at a polling station under paragraph (2) must take place on the close of poll, and
- (b) paragraph (4) is to be construed as if “Having separated the ballot papers relating to the local government election,” were inserted before “the returning officer” in the first place it occurs.”

PART 3

Application of the Local Elections (Principal Areas) (Wales) Rules 2021 where the poll to fill a casual vacancy or vacancies occurring in the office of councillor for a county or county borough council is taken together with the poll at a Senedd general election under article 15(1)

Application and modification of the Local Elections (Principal Areas) (Wales) Rules 2021: general provision

22. The following provisions of the Local Elections (Principal Areas) (Wales) Rules 2021(1)F apply where the poll to fill a casual vacancy in the office of councillor for a county or county borough council is taken together with the poll at a Senedd general election under article 15(1), subject to the modifications set out in this Part of this Schedule—

- (a) rules 1, 3 and 4,
- (b) rule 5(3) to (7) in its application to Schedule 2, and
- (c) Schedule 2.

Rule 3 (interpretation)

23. In rule 3—

- (a) paragraph (1) is to be read as if for the definition of “the Combination of Polls Regulations” there were substituted the following definition—

(1) S.I. 2021/1459 (W. 374). Rule 3 was amended by S.I. 2022/263 (W. 79) and S.I. 2023/1064 (W. 180). Schedule 2 was amended by S.I. 2023/1064 (W. 180).

““the 2025 Order” (*Gorchymyn 2025*)” means the Senedd Cymru (Representation of the People) Order 2025;”;

- (b) paragraph (2) is to be read as if there were substituted for that paragraph—

“(2) For the purposes of these Rules, each of the following is a “relevant election”—

- (a) a Senedd Cymru general election with which the poll at an election held in accordance with section 89(1) of the Local Government Act 1972 to fill a casual vacancy occurring in the office of councillor for a county or county borough is combined;
- (b) an election held in accordance with section 89(6) of the Local Government Act 1972 to fill a casual vacancy of councillors to a community council where the poll at that election is combined with—
 - (i) the poll at a Senedd Cymru general election, and
 - (ii) the poll at an election held in accordance with section 89(1) of that Act to fill a casual vacancy occurring in the office of councillor for a county or county borough council.”

Rule 5 (conduct of elections to the council of a principal area)

24. In rule 5, paragraph (4) is to be read as if for the words from “who, under” to the end of the paragraph, there were substituted the words “who, under paragraph 1 of Schedule 3 to the 2025 Order, is responsible for discharging functions specified in paragraph 2 of that Schedule to that Order”.

Schedule 2 (rules for conduct of an election of councillors for a principal area where poll is taken together with poll at a relevant election)

25.—(1) Schedule 2 is to be read as if in each of the following places, for the words “regulations 4 and 5 of the Combination of Polls Regulations” there were substituted the words “paragraphs 1 and 2 of Schedule 3 to the 2025 Order”—

- (a) rule 23(6) (corresponding number list);
- (b) rule 27(6) (notice of poll);

- (c) rule 28(5) (postal ballot papers);
- (d) rule 29(4) (provision of polling stations);
- (e) rule 30(6) (appointment of presiding officers and clerks);
- (f) rule 32(14) (equipment of polling stations);
- (g) rule 35(4) (notification of requirement of secrecy);
- (h) rule 36(4) (return of postal ballot papers);
- (i) rule 37(9) (admission to polling stations);
- (j) rule 38(7) (keeping of order in station).

(2) In rule 27 (notice of poll), in paragraph (4), sub-paragraph (b) is to be read as if there were substituted for that sub-paragraph—

“(b) specify the constituency to which the Senedd Cymru election relates,

(ba) specify the area to which any other relevant election relates, and”.

PART 4

Application of the Local Election
(Communities) (Wales) Rules 2021 where the
poll to fill a casual vacancy or vacancies of
councillors to a community council is taken
together with the poll at a Senedd general
election under article 15(1)

Application and Modification of the Local Election (Communities) (Wales) Rules 2021: general provision

26. The following provisions of the Local Elections (Communities) (Wales) Rules 2021⁽¹⁾ apply where the poll to fill a casual vacancy or vacancies of councillors to a community council is taken together with the poll at a Senedd general election under article 15(1), subject to the modifications set out in this Part of this Schedule—

- (a) rules 1 and 3;
- (b) rule 4(3) to (7) in its application to Schedule 2;
- (c) rules 6 and 7;
- (d) Schedule 2;
- (e) Schedule 3.

⁽¹⁾ S.I. 2021/1460 (W. 375).

Rule 3 (interpretation)

27.—(1) In rule 3, paragraph (1) is to be read as if for the definition of “the Combination of Polls Regulations” there were substituted the following definition—

““the 2025 Order” (*“Gorchymyn 2025”*) means the Senedd Cymru (Representation of the People) Order 2025;”.

(2) In rule 3, paragraph (2) is to be read as if there were substituted for that paragraph—

“(2) For the purposes of these Rules, each of the following is a “relevant election”—

- (a) a Senedd Cymru general election with which the poll at an election held in accordance with section 89(6) of the Local Government Act 1972 to fill a casual vacancy of councillors to a community council is combined;
- (b) an election held in accordance with section 89(1) of the Local Government Act 1972 to fill a casual vacancy of councillors to a county or county borough council where the poll for that election is combined with—
 - (i) the poll at a Senedd Cymru general election, and
 - (ii) the poll at an election held in accordance with section 89(6) of that Act to fill a casual vacancy of councillors to a community council.”

Rule 4 (conduct of elections to a community council)

28. In rule 4, paragraph (4) is to be read as if for the words from “who, under” to the end of the paragraph, there were substituted the words “who, under paragraph 1 of Schedule 3 to the 2025 Order, is responsible for discharging functions specified in paragraph 2 of that Schedule to that Order.”

Schedule 2 (rules for conduct of an election of councillors for a community where poll is taken together with poll at a relevant election)

29.—(1) Schedule 2 is to be read as if in each of the following places, for the words “regulations 4 and 5 of the Combination of Polls Regulations” there were substituted the words “paragraphs 1 and 2 of Schedule 3 to the 2025 Order”—

- (a) rule 23(6) (corresponding number list);
- (b) rule 27(6) (notice of poll);
- (c) rule 28(5) (postal ballot papers);

- (d) rule 29(4) (provision of polling stations);
- (e) rule 30(6) (appointment of presiding officers and clerks);
- (f) rule 32(14) (equipment of polling stations);
- (g) rule 35(4) (notification of requirement of secrecy);
- (h) rule 36(4) (return of postal ballot papers);
- (i) rule 37(9) (signature of certificate as to employment);
- (j) rule 38(7) (keeping of order in station).

(2) In rule 27 (notice of poll), in paragraph (4), sub-paragraph (b) is to be read as if there were substituted for that sub-paragraph—

“(b) specify the constituency to which the Senedd Cymru election relates,

(ba) specify the area to which any other relevant election relates, and”.

SCHEDULE 4 Article 16(6)

Combination of polls: Senedd elections and police and crime commissioner elections

PART 1

General

Returning officers and polling stations

1.—(1) Where the polls at a Senedd general election and an ordinary election of police and crime commissioners are taken together under article 16(1)—

- (a) those functions of the returning officer at the police and crime commissioner election which are specified in paragraph 2 must be discharged by the returning officer for a Senedd constituency for such part of the police area as is situated in the constituency, and
- (b) only polling stations used for the Senedd general election are to be used for the police and crime commissioner election.

(2) Subject to sub-paragraph (3), where the polls at a Senedd general election and a police and crime commissioner election for related areas, within the meaning of article 16(4), are taken together under article 16(3)—

- (a) the returning officers for those elections must decide which returning officer will discharge

in the area in which the polls are combined (“the combined area”) those functions of the other which are specified in paragraph 2, and

- (b) the only polling stations to be used in the combined area at such elections are the polling stations used at the election for which the returning officer who discharges the functions referred to in paragraph (a) acts as returning officer.

(3) Where the polls at a Senedd general election and a police and crime commissioner election for related areas, within the meaning of article 16(4), are taken together under article 16(3), sub-paragraph (1) applies.

Functions at combined polls

2.—(1) The functions referred to in paragraph 1 are the functions conferred—

- (a) in the case of a Senedd election, by Schedule 5 and which are specified in sub-paragraph (2), and
- (b) in the case of a police and crime commissioner election, by those rules contained in an Order made under sections 58 and 154 of the 2011 Act⁽¹⁾ which correspond to the provisions specified in sub-paragraph (2).

(2) The functions referred to in sub-paragraph (1) are those functions in Schedule 5 conferred by—

- (a) rule 27 (corresponding number list);
- (b) rule 31(2) (notice of situation of polling stations etc);
- (c) rule 34 (provision of polling stations);
- (d) rule 35(1) and (2) (appointment of presiding officers and clerks) to the extent that the rule concerns the appointment of presiding officers and clerks to assist them;
- (e) rule 37 (equipment of polling stations) as modified by paragraph 8 of this Schedule;
- (f) rule 40(1) (notification of requirement of secrecy at polling station);
- (g) rule 41(6) (surrender of certificate as to employment);
- (h) rule 42(3)(b) (authorisation to order removal from polling station);
- (i) paragraphs (2) to (6) of rule 58 (the count: steps) as modified by paragraph 20 of this Schedule.

(1) 2011 c. 13. Section 58 was amended by S.I. 2015/1526; S.I. 2018/1310 and S.I. 2021/1265. Section 154 was amended by S.I. 2021/1265.

Modification of provisions about expenses in this Order and the 2011 Act

3.—(1) Sub-paragraph (2) applies where those functions of a returning officer at an election which are specified in paragraph 2 are discharged by the returning officer at another election under paragraph 1.

(2) References to the returning officer or the returning officer's charges or expenditure—

- (a) in article 23(1) to (5) and (7) to (9) (payments by and to returning officer),
- (b) in article 24 (detailed assessment of returning officer's account),
- (c) in section 55(1) to (7), (9) and (10) of the 2011 Act⁽¹⁾ (returning officers: expenditure), and
- (d) in section 56 of that Act (taxation of returning officer's account),

are, to the extent that such functions are discharged in accordance with paragraph 1, to be construed as references to the returning officer who discharges those functions and that returning officer's charges or expenditure in respect of those functions.

(3) The references in section 55(9) of the 2011 Act to the returning officer or person acting as returning officer requesting an advance in respect of their expenses are, to the extent that those charges relate to the functions specified in paragraph 2, to include a reference to the returning officer who under paragraph 1 discharges those functions at the police and crime commissioner election.

(4) In relation to elections the polls at which are taken together under article 16(1) or (3), the Welsh Ministers may under article 23(1) include special provision—

- (a) for services properly rendered, or expenses properly incurred, in respect of the discharge of functions specified in paragraph 2 by the returning officer who discharges those functions by virtue of paragraph 1, and
- (b) in respect of the remuneration of presiding officers and clerks in connection with those functions.

PART 2

Modifications to Schedule 5 to apply where the poll at a Senedd general election is taken

(1) Section 55 was amended by S.I. 2015/1526 and S.I. 2021/1265.

together with a poll at a police and crime commissioner election under article 16(1) or (3)

Modifications to Schedule 5: general provisions

4. Where the poll at a Senedd general election is taken together with the poll at a police and crime commissioner election under article 16(1) or (3), Schedule 5 has effect subject to the modifications set out in the remaining paragraphs of this Part.

Rule 27A (colour of ballot papers)

5. Schedule 5 is to be read as if after rule 27 (corresponding number list) there were inserted—

“Colour of ballot papers

27A. Where the poll at a Senedd election is taken together with the poll at a police and crime commissioner election, the ballot paper to be used at the Senedd election must be of a different colour from that of any ballot paper to be used at the police and crime commissioner election.”

Rule 31 (notice of poll)

6. Rule 31 is to be read as if after paragraph (4) there were inserted—

“(5) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election the notice published under paragraph (2) must—

- (a) state that the poll at the Senedd election is to be taken together with the poll at a police and crime commissioner election,
- (b) specify the relevant police area for which the election is held, and
- (c) where the polls are to be taken together in part of a Senedd constituency only, specify that part.”

Rule 36 (issue of official poll cards)

7. Rule 36 is to be read as if after paragraph (6) there were inserted—

“(6A) Where a poll at a Senedd election is taken together with a poll at a police and crime commissioner election, an official poll card issued under this rule may be combined with an official poll card issued at the police and crime commissioner election.”

Rule 37 (equipment of polling stations)

8.—(1) Rule 37 is to be read as if after paragraph (2) there were inserted—

“(2A) The same ballot box may be used for the poll at the Senedd election and for the poll at the police and crime commissioner election.

(2B) Where the same ballot box is not used under paragraph (2A) each ballot box must be clearly marked with—

- (a) the election to which it relates, as shown on the ballot papers for that election, and
- (b) the words “Rhowch y papur pleidleisio [nodwch liw'r papurau pleidleisio dan sylw] yma. Place the [specify the colour of the ballot papers in question] ballot paper here.””

(2) In rule 37, paragraph (12) is to be read as if there were substituted for that paragraph—

“(12) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, a notice containing the following information must be exhibited inside each voting compartment in each polling station—

- (a) in respect of a Senedd election—

“Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Vote only once on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.”;

- (b) in respect of a police and crime commissioner election—

“Pleidleisiwch dros UN YMGEISYDD YN UNIG drwy roi croes [x] yn y blwch wrth ochr eich dewis ar y papur pleidleisio lliw [lliw'r papur pleidleisio] ar gyfer comisiynwyr heddlu a throseddu. Peidiwch â rhoi dim marc arall ar y papur pleidleisio neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Vote for ONLY ONE CANDIDATE by putting a cross [x] in the box next to your choice on the police and crime commissioner ballot paper coloured [colour of ballot paper].

Put no other mark on the ballot paper or your vote may not be counted.””

Rule 38 (appointment of polling and counting agents)

9. Rule 38 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, notices of the appointment of polling agents which are required by paragraphs (3) to (5) to be given to the returning officer, must be given to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4.”

Rule 41 (admission to polling station)

10. Rule 41 is to be read as if after paragraph (1)(j), there were inserted—

“(k) persons entitled to be admitted to the polling station at the police and crime commissioner election.”

Rule 44 (questions to be put to voters)

11. Questions 1(b), 2(a) and (b), 3(b) and 4 in column (2) of Table 1 in rule 44(4), are to be read as if before the word “election” there is inserted the word “Senedd”.

Rule 46 (voting procedure)

12. Rule 46 is to be read as if after paragraph (7) there were inserted—

“(7A) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, the same copies of the registration records may be used under paragraph (2) for each election and—

- (a) one mark may be placed in those records under paragraph (2)(d) or in the list of proxies under paragraph (2)(e) to denote that a ballot paper has been received in respect of each election, and
- (b) where a ballot paper has not been issued in respect of each election, a different mark must be placed in the registration records or list of proxies so as to identify the election in respect of which the ballot paper was issued.”

Rule 47 (voters with a disability or unable to read: marking of votes by presiding officer)

13. Rule 47 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, the same list of votes marked by the presiding officer may be used for each election and, where it is so used, an entry in that list will be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which a ballot paper was so marked.”

Rule 48 (voters with a disability or unable to read: assistance of companions)

14. In rule 48, paragraph (5) is to be read as if there were substituted for that paragraph—

“(5) Where the poll at a Senedd election is taken together with the poll at a police and crime commissioner election, the companion’s declaration must be—

- (a) in form 21 set out in Welsh and English in Schedule 10, and
- (b) given to the presiding officer who must attest and retain it.”

Rule 49 (voting with the assistance of a companion: supplemental provision)

15. Rule 49 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with the poll at a police and crime commissioner election, the same list of voters with disabilities assisted by companions may be used for each election.

(7) Where the same list is used under paragraph (6), an entry in that list is to be taken to mean the votes were given in respect of each election, unless the list identifies the election at which a vote was so given.”

Rule 51 (tendered ballot papers: duties of presiding officer)

16. Rule 51 is to be read as if after paragraph (6) there were inserted—

“(7) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, the same tendered votes list may be used for each election.

(8) Where the same list is used under paragraph (7), an entry in that list is to be taken to mean that tendered ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.”

Rule 53 (correction of errors on the day of poll)

17. Rule 53 is to be read as if for that rule there were substituted—

“Correction of errors on the day of poll

53.—(1) The presiding officer must keep a list of persons to whom ballot papers are given in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

(2) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, the same list may be used for each election and, where it is so used, an entry in that list is to be taken to mean that ballot papers were issued in respect of each election, unless the list identifies the election for which a ballot paper was issued.”

Rule 55 (procedure on close of poll)

18.—(1) In rule 55—

- (a) the opening words of paragraph (2) are to be read as if after the words “polling agents” there were inserted the words “appointed for the purposes of the Senedd election and for the purposes of the police and crime commissioner election”;
- (b) paragraph (3) is to be read as if after the words “polling agents” there were inserted the words “appointed for the purposes of the Senedd election and for the purposes of the police and crime commissioner election”.

(2) Rule 55 is to be read as if after paragraph (3) there were inserted—

“(3A) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election, the contents of the packets referred to in paragraph (3)(a), (b), (d) and (e) must not be combined with the contents of packets made under the corresponding rule that applies at a police and crime commissioner election, nor must the statement prepared under paragraph (8) be so combined.”

Rule 56 (arrangements for the counting of votes)

19. Rule 56 is to be read as if after paragraph (2) there were inserted—

“(3) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election and the returning officer at the Senedd election (“S”) does not discharge the functions specified in paragraph 2 of Schedule 4, so that paragraphs (1) and (2) do not apply, S must—

- (a) make arrangements for counting the votes in the presence of the counting agents after the delivery of the ballot papers to S by the returning officer who does discharge those functions, and
- (b) give notice in writing to the counting agents of the time and place S will begin to count the votes if S has by then received the ballot papers.

(4) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election and the returning officer for the Senedd election is discharging the functions specified in paragraph 2 of Schedule 4, a reference in this rule and rule 57 to the “counting agents” also includes the counting agents appointed for the purposes of the police and crime commissioner election.”

Rule 58 (the count: steps)

20. Rule 58 is to be read as if for that rule there were substituted—

“The count: steps

58.—(1) Where the poll at a Senedd election is taken together with the poll at a police and crime commissioner election, the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 must take the following steps.

(2) The returning officer must, in the presence of the counting agents appointed for the purposes of the Senedd and police and crime commissioner elections, open each ballot box, take out the ballot papers, count them and separately record the number of ballot papers for each election.

(3) The returning officer must not count any tendered ballot papers.

(4) The returning officer must, in the presence of the election agents appointed for the purposes

of the Senedd and police and crime commissioner elections verify each ballot paper account by comparing it with the number of ballot papers recorded, the unused and spoilt ballot papers in the returning officer's possession and the tendered votes list, opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list.

(5) The returning officer must prepare a statement as to the result of the verifications and give a copy of the statement to any election agent who requests it.

(6) The returning officer must also—

- (a) count the postal ballot papers that have been properly returned (see paragraph (8)) and separately record the number counted at each election,
- (b) separate the ballot papers relating to each election,
- (c) make up into packets the ballot papers for each election other than the Senedd election and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate,
- (d) deliver, or cause to be delivered, to the returning officer at the election to which the ballot papers relate—
 - (i) the containers mentioned in subparagraph (c), together with a list of them and of the contents of each, and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election, and
- (e) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing—
 - (i) the unused and spoilt ballot papers,
 - (ii) the tendered ballot papers, and
 - (iii) the completed corresponding number lists and the certificates as to employment on duty on the day of the poll.

(7) Where separate ballot boxes have been used for Senedd and police and crime commissioner elections, no vote will be rendered invalid solely by the ballot paper being placed in the wrong ballot box.

(8) A postal ballot paper is to be treated as properly returned if the ballot paper and the

accompanying postal voting statement properly completed are—

- (a) handed in at a polling station in the appropriate area before the close of the poll,
- (b) given by hand to the returning officer before the close of the poll, or
- (c) received by the returning officer by post before the close of the poll.

(9) A postal voting statement is properly completed if—

- (a) it is signed by the elector or the proxy, unless the registration officer has dispensed with the requirement for a signature,
- (b) it states the date of birth of the elector or the proxy, and
- (c) in a case where the returning officer is required to take steps to verify the date of birth and signature of an elector or proxy in accordance with paragraph 23 of Schedule 2, the returning officer has taken those steps and verified the date of birth and, except in a case where the requirement for a signature has been dispensed with, the signature.

(10) Where, at the close of the poll, a person is in the polling station, or in a queue outside the polling station, for the purpose of handing in a postal ballot paper and postal voting statement—

- (a) the person must be permitted to hand the ballot paper and statement in at the polling station, and
- (b) where handed in, they are to be treated as having been handed in before the close of the poll for the purposes of this rule.

(11) The returning officer must not count the votes given on any ballot paper in relation to a Senedd election until—

- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

(12) While counting and recording the number of ballot papers and counting the votes, the returning officer must—

- (a) keep the ballot papers with their faces upwards, and
- (b) take such other precautions as are appropriate for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.

(13) In this rule “appropriate area” means the area common to the Senedd constituency and voting area in which the polls for the Senedd election and the police and crime commissioner election are being taken together and in respect of which polls the voter has been issued with a ballot paper.”

Rule 67 (delivery of documents to registration officer at contested elections)

21. Rule 67 is to be read as if after paragraph (4) there were inserted—

“(5) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election and the Senedd returning officer does not discharge the functions specified in paragraph 2 of Schedule 4, paragraph (2) of this rule has effect as if subparagraphs (e), (h) and (i) were omitted.”

Rule 72 (death of candidate)

22. Rule 72 is to be read as if after paragraph (5) there were inserted—

“(6) Neither the countermand of the notice of poll at the Senedd election nor a direction that the poll be abandoned affects the poll at the police and crime commissioner election.”

Rule 73 (abandoned poll)

23. Rule 73 is to be read as if after paragraph (5) there were inserted—

“(6) Where the poll at a Senedd election is taken together with a poll at a police and crime commissioner election and the poll at the Senedd election is abandoned in accordance with rule 72(1)(b) (by reason of an individual candidate's death)—

- (a) the steps required to be taken by the presiding officer at a polling station under paragraph (2) must take place at the close of poll, and
- (b) paragraph (4) is to be construed as if “Having separated the ballot papers relating to the police and crime commissioner election,” was inserted

before “the returning officer” in the first place it occurs.”

SCHEDULE 5 Article 17(1)

Senedd election rules

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PART 1

Provision as to time

Timetable

1.—(1) The proceedings at a Senedd election must be conducted in accordance with the following timetable—

<i>Proceedings</i>	<i>Time</i>
Publication of notice of election	Not later than the twenty-fifth day before the date of the poll.
Delivery of nomination papers	Not later than 4.00 p.m. on the nineteenth day before the date of the poll.
The making of objections to nomination papers	During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following, but— <ol style="list-style-type: none"> (a) no objection may be made after 12 noon on the last day for the delivery of nomination papers, except to a nomination paper delivered within 24 hours of the last time for its delivery, and (b) in the case of a nomination paper so delivered, no objection may be made to the sufficiency or

	nature of the particulars of a candidate unless made at or immediately after the time of the delivery of the nomination paper.
Delivery of notices of withdrawal of candidature	Not later than 4.00 p.m. on the nineteenth day before the date of the poll.
Publication of statement of parties and persons nominated	Not later than 4.00 p.m. on the eighteenth day before the date of the poll.
Polling	Between the hours of 7.00 a.m. and 10.00 p.m. on the date of the poll.

(2) In the Table in paragraph (1)—

- (a) the reference to “nomination papers” includes individual nomination papers and party nomination papers;
- (b) “making of objections to nomination papers”, in the case of making of an objection to a party nomination paper, includes the making of an objection to the nomination of any party list candidate on the list of candidates accompanying a party nomination paper.

(3) Paragraph (4) applies where—

- (a) a nomination paper is sent electronically or submitted online in accordance with arrangements set out in the notice of election (see rule 3), or
- (b) a notice of withdrawal of candidature under rule 16 is sent electronically.

(4) For the purpose of determining whether the paper or notice has been delivered in accordance with the timetable in paragraph (1), the paper or notice is to be treated as having been delivered at the time when its delivery is recorded on the computer system in use by the returning officer for receiving the paper or notice.

Computation of time

2.—(1) An excluded day is to be disregarded in calculating any period set out in the second column of the timetable in rule 1.

(2) No proceedings under these rules up to the close of the poll may take place on an excluded day.

(3) The returning officer is not required to proceed with the counting of votes on an excluded day.

(4) For the purposes of these rules “excluded day” means a day that is—

- (a) a Saturday;
- (b) a Sunday;
- (c) Christmas Eve;
- (d) Christmas Day;
- (e) Good Friday;
- (f) a day that is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971⁽¹⁾;
- (g) a day appointed for public thanksgiving or mourning.

PART 2

Stages common to contested and uncontested elections

Notice of election

Notice of election

3.—(1) The returning officer for a Senedd constituency must publish notice of election for that constituency.

(2) The notice of election must state—

- (a) the date of the poll in the event of a contest,
- (b) the latest time for the delivery of individual nomination papers and party nomination papers, including party lists,
- (c) the place or places where such nomination papers may be delivered and the times at which they may be delivered to that place or those places, and
- (d) the place or places where, and the times at which, forms of individual nomination papers and party nomination papers, including party lists, may be obtained, and information about how and when such forms of nomination paper may be obtained online.

(3) The notice of election must also—

- (a) include an electronic delivery statement,
- (b) state the arrangements which apply for the payment of the deposit required by rule 11 to be made by means of electronic transfer of funds, and
- (c) state the date by which applications to vote by post or by proxy, and other applications and

⁽¹⁾ 1971 c. 80.

notices about postal or proxy voting, must reach the registration officer in order to be effective for the election.

(4) An electronic delivery statement is a statement that nomination papers may be delivered—

- (a) by being sent electronically to an e-mail address in accordance with arrangements set out in the statement,
- (b) by submission online in accordance with arrangements set out in the statement, or
- (c) either by being sent electronically as mentioned in sub-paragraph (a) or by submission online as mentioned in sub-paragraph (b).

Nomination

Duty of returning officer to supply forms of nomination etc.

4.—(1) At the place or places and times for obtaining forms of nomination paper set out in the notice of election, the returning officer must supply any person with as many forms of nomination paper as the person may require.

(2) The returning officer must also make arrangements to ensure that forms of nomination paper may be obtained online in accordance with the information given in the notice of election.

(3) It is not, however, necessary for a nomination to be made on a form supplied by the returning officer or obtained online.

Nomination of individual candidates

5.—(1) An individual candidate in a Senedd constituency must be nominated by way of an individual nomination paper in form 7 set out in Welsh and English in Schedule 10, or a form to the like effect.

(2) The nomination paper may be delivered—

- (a) to one of the places specified by the returning officer in the notice of election for that purpose, or
- (b) in accordance with the arrangements set out in the electronic delivery statement.

(3) The nomination paper may be delivered—

- (a) by the candidate, or
- (b) by the candidate's election agent if the agent's name and address have been previously given to the returning officer as required by article 39 or are so given at the time the nomination paper is delivered.

(4) The nomination paper must—

- (a) state the candidate's full names, with the surnames placed first, and
- (b) if desired, state a description consisting of the word "Independent" or the word "Annibynnol" or both.

(5) If a candidate commonly uses forenames or surnames that are different in any respect from the forenames or surnames stated in accordance with paragraph (4)(a), including where the difference is that the commonly used forenames or surnames are in a different order, include only some of the names or include additional names, the nomination paper may also state the commonly used forenames or surnames.

(6) Each nomination paper delivered under this rule must be subscribed by one person, and if the subscriber is not the candidate, the subscriber's full name and address must be set out in the paper.

(7) The nomination paper must be accompanied by a form which complies with rule 8 (home address form).

Nomination of registered political parties and party list candidates

6.—(1) A registered political party may stand for election in a Senedd constituency election if—

- (a) it is a qualifying party (see rule 76) in relation to that constituency, and
- (b) it is nominated by way of a party nomination paper in form 8 set out in Welsh and English in Schedule 10, or a form to the like effect.

(2) The party nomination paper may be delivered—

- (a) to one of the places specified by the returning officer in the notice of election for that purpose, or
- (b) in accordance with the arrangements set out in the electronic delivery statement.

(3) A party nomination paper must include either—

- (a) the name or names of the party registered under section 28 of the 2000 Political Parties Act⁽¹⁾, or
- (b) a description of the party registered under section 28A of that Act⁽²⁾.

(4) Where the registered party name is provided and the name does not include "Wales", "Welsh", "Cymru" or "Cymreig", then the registered party's name may be

(1) 2000 c. 41. Section 28 was amended by section 48 of the Electoral Administration Act 2006 (c. 22); sections 23 and 24 of the Elections Act 2022 (c. 37); and by S.I. 2004/366 and S.I. 2018/1310.

(2) Section 28A was inserted by section 49(1) of the Electoral Administration Act 2006 (c. 22).

supplemented with “Wales”, “Welsh”, “Cymru” or “Cymreig” as set out in rule 7(2) and (3).

(5) A party nomination paper must include the list (“party list”) of candidates (“party list candidates”) submitted by the party for that constituency election, and the party nomination paper will be the nomination paper for each candidate on that list.

(6) In respect of each party list candidate, the party list must state the candidate's full names, with the surnames placed first.

(7) If a party list candidate commonly uses forenames or surnames that are different in any respect from the forenames or surnames stated in accordance with paragraph (6), including where the difference is that the commonly used forenames or surnames are in a different order, include only some of the names or include additional names, the nomination paper may also state the commonly used forenames or surnames.

(8) A party nomination paper must be subscribed by the registered nominating officer of the registered political party submitting it or by a person authorised in writing by that officer.

(9) The party nomination paper must be accompanied by a form which complies with rule 8 (home address form), in respect of each party list candidate.

Party nomination paper: name or description of registered political party

7.—(1) The name or names, or description, required by rule 6(3), to be contained in a party nomination paper must be authorised by a certificate in form 9 set out in Welsh and English in Schedule 10 issued by the registered nominating officer of the registered political party.

(2) Paragraph (3) applies where none of the words “Wales”, “Welsh”, “Cymru” and “Cymreig” are used in the name of the party registered under section 28 of the 2000 Political Parties Act.

(3) The registered political party may do one of the following—

- (a) add the word “Wales” before the name;
- (b) add the word “Welsh” before the name;
- (c) add the word “Cymru” after the name;
- (d) add the word “Cymreig” after the name.

(4) If it is proposed that the party's registered emblem is to be shown on the ballot paper against the party's name or description, the certificate issued under paragraph (1) must request that it be so shown, but so that, in a case in which a party has more than one registered emblem, only one of its emblems may be requested to be shown on the ballot paper.

(5) A certificate issued under paragraph (1) must be combined with the party nomination paper delivered under rule 6(1).

(6) A person is guilty of a corrupt practice if that person fraudulently purports to be authorised by virtue of rule 77 to issue a certificate under paragraph (1) on behalf of a party's registered nominating officer.

Home address form

8.—(1) This rule sets out the requirements for home address forms that must accompany individual and party nomination papers under rules 5(7) and 6(9).

(2) A home address form in form 10 set out in Welsh and English in Schedule 10, or a form to the like effect, must state the individual or party list candidate's—

- (a) full names, and
- (b) home address in full.

(3) If an individual nomination paper or party list includes commonly used forenames or surnames for a candidate, the home address form must also state the commonly used names.

(4) The home address form may contain a statement made and signed by an individual or party list candidate that the candidate's home address must not be made public.

(5) If the home address form contains such a statement, it must—

- (a) where the candidate's home address is in the United Kingdom, state the name of the relevant area;
- (b) where the candidate's home address is outside of the United Kingdom, state the country in which it is situated.

(6) In this rule, "relevant area" means—

- (a) where the candidate's home address is in Wales, the Senedd constituency within which the address is situated;
- (b) where the candidate's home address is elsewhere in the United Kingdom, the UK Parliamentary constituency within which the address is situated.

(7) Where a home address form has been completed and returned with a nomination paper and an individual or party list candidate has requested that their home address not be made public, only the information as provided in accordance with paragraph (5) will appear on the statement of parties and persons nominated.

Consent to nomination

9.—(1) A person is not validly nominated as an individual or party list candidate unless that person's consent to the nomination—

- (a) is given and dated in writing in form 11 set out in Welsh and English in Schedule 10, or a form to the like effect, on, or within 1 month before, the day fixed as the last day for the delivery of nomination papers,
- (b) is attested by one witness, and
- (c) is delivered within the time for the delivery of individual and party nomination papers.

(2) A consent to nomination may be delivered—

- (a) to one of the places specified by the returning officer in the notice of election for the delivery of nomination papers, or
- (b) in accordance with the arrangements set out in the electronic delivery statement (rule 3).

(3) A candidate's consent given under this rule must—

- (a) state the day, month and year of the candidate's birth;
- (b) state an address within the relevant area that will be deemed to be the candidate's office as an election agent for the purposes of article 42(7);
- (c) state the name of a local authority area in Wales in which the candidate is registered as a local government elector;
- (d) state to the best of the candidate's knowledge and belief that the candidate is not disqualified from being elected under section 16(A1) of the 2006 Act⁽¹⁾ (disqualification from being a member of the Senedd);
- (e) include a statement of party membership that complies with rule 10;
- (f) in the case of an individual candidate, state that the candidate is not—
 - (i) a party list candidate in the election for the Senedd constituency to which the consent relates,
 - (ii) an individual candidate in any other Senedd constituency, the poll for which is to be held on the same day as that for the election to which the consent relates, or
 - (iii) a party list candidate in any other Senedd constituency, the poll for which is to be

(1) 2006 c. 32. Section 16(A1) was inserted by section 29(2) of the Senedd and Elections (Wales) Act 2020 (anaw 1).

held on the same day as that for the election to which the consent relates;

- (g) in the case of a party list candidate, state that the candidate is not—
 - (i) an individual candidate in the election for the Senedd constituency to which the consent relates,
 - (ii) an individual candidate in any other Senedd constituency, the poll for which is to be held on the same day as that for the election to which the consent relates, or
 - (iii) a party list candidate in any other Senedd constituency, the poll for which is to be held on the same day as that for the election to which the consent relates.

(4) An individual candidate is required to give consent under this rule notwithstanding that that candidate has subscribed the nomination paper by virtue of which the candidate is nominated.

(5) For the purposes of paragraph (3)(b), “the relevant area” is to be construed in accordance with article 41(5) and (6).

Consent to nomination: statements of party membership

10.—(1) This rule sets out the requirements for statements of party membership that must be included in consents to nomination as mentioned in rule 9(3)(e).

(2) Subject to paragraphs (3) and (5), the statement must state whether the candidate has been a member of any registered political party at any time during the relevant period.

(3) Paragraph (2) does not apply where, during the relevant period, a party list candidate has been a member only of the registered political party on whose list they have been included as a party candidate on a party nomination paper submitted under rule 6.

(4) Subject to paragraph (5), if the candidate has been a member of one or more registered political parties at any time during the relevant period, the statement must also include the following information in relation to each of those parties—

- (a) the party’s registered name or, where the party has more than one registered name, the party’s registered names, and
- (b) the dates during the relevant period between which the candidate has been a member of the party.

(5) A party list candidate is not required to include details of the registered political party on whose list

they have been included as a party candidate on a party nomination paper submitted under rule 6.

(6) A candidate who knowingly fails to include in the consent to nomination a statement of party membership that complies with the requirements of this rule is guilty of a corrupt practice.

(7) In this rule—

- (a) “registered political party” means a party that is registered under Part 2 of the 2000 Political Parties Act at any time during the relevant period when the candidate is a member;
- (b) references to a registered name of a registered political party are to a name of the party registered under section 28 of that Act;
- (c) “the relevant period” means the period of 12 months ending with the day on which the notice of election is published.

Deposit

11.—(1) A person is not validly nominated as an individual candidate for return in a constituency at a Senedd election unless the sum of £500 is deposited by that candidate, or on that candidate’s behalf, with the returning officer at one of the places and during the time for delivery of nomination papers.

(2) A registered political party, and each of the party list candidates on the list it has submitted, is not validly nominated for return in a constituency at a Senedd election unless the conditions in paragraph (3) are met.

(3) The conditions referred to in paragraph (2) are—

- (a) the sum of £500 must be deposited for the first party list candidate appearing on the registered political party’s list;
- (b) the sum of £200 must be deposited for each of the next five candidates appearing on the registered political party’s list;
- (c) the deposit must be paid by or on behalf of the party’s registered nominating officer to the returning officer at one of the places and during the time for delivery of nomination papers.

(4) Subject to paragraph (5), the deposit may be made either—

- (a) by the deposit of any legal tender,
- (b) by means of a banker’s draft, or
- (c) with the returning officer’s consent, in any other manner, including by means of a debit or credit card or the electronic transfer of funds.

(5) The returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if the returning officer does not know that the drawer carries on business as a banker in the United Kingdom.

(6) The requirement in paragraph (7) must be complied with where the deposit is made—

- (a) on behalf of an individual candidate in accordance with paragraph (1), or
- (b) on behalf of a party's registered nominating officer in accordance with paragraph (3)(c).

(7) The person making the deposit ("P") must, at the time P makes it, give P's name and address to the returning officer unless that information has previously been given to the returning officer under article 39.

Places for delivery of nomination papers

12.—(1) The place or places for delivery of nomination papers must be in—

- (a) the Senedd constituency, or
- (b) the registration area which includes the whole or any part of the Senedd constituency.

(2) The returning officer must fix the place or places at which nomination papers are to be delivered in accordance with paragraph (1), and must attend there during the time for their delivery and for the making of objections to them.

(3) For the purposes of paragraph (1)(b), "registration area" means the area of two or more Senedd constituencies which have the same registration officer.

Right to attend nomination

13.—(1) Subject to paragraph (6), only the persons listed in paragraph (2) are entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them.

(2) The persons entitled to attend proceedings are—

- (a) a person standing nominated as an individual candidate,
- (b) the election agent of such a person,
- (c) a party list candidate,
- (d) the registered nominating officer of a registered political party that has submitted a party list, or the election agent of that party in respect of that list,

- (e) a person who is entitled to attend by virtue of section 6A or 6B of the 2000 Political Parties Act⁽¹⁾,
- (f) a person who is delivering a nomination paper, or
- (g) a person who is assisting the returning officer.

(3) Where an individual candidate acts as their own election agent, or a party list candidate acts as election agent of that party in relation to that list, the candidate may name one other person who is to be entitled to attend in place of the election agent for that individual candidate or party.

(4) The right to attend conferred by this rule includes the right—

- (a) to inspect, and
- (b) to object to the validity of,

any individual nomination paper or any party nomination paper submitted in relation to the constituency, including the nomination of any party list candidate on the party list submitted with that party nomination paper.

(5) Paragraph (4) does not apply to a person mentioned in paragraph (2)(e) to (g).

(6) One other person chosen by the candidate is entitled to be present at the delivery of the nomination paper by which that candidate is nominated, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1), but without any such right as is conferred by paragraph (4).

(7) Where nomination papers have been delivered in accordance with the electronic delivery statement, the returning officer must take reasonable steps to ensure that the persons mentioned in paragraph (1)(a) to (d) can access those papers for the purposes of inspecting them.

Decisions as to the validity of individual nomination papers

14.—(1) This rule applies where the following are delivered in accordance with these rules—

- (a) an individual nomination paper and accompanying home address form,
- (b) the candidate's consent to nomination, and
- (c) the deposit.

(1) Sections 6A and 6B were inserted by section 29 of the Electoral Administration Act 2006 (c. 22). Section 6A was amended by paragraph 10 of Schedule 10 to the Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 3 of Schedule 6 to the Recall of MPs Act 2015 (c. 25) and S.I. 2007/1388.

(2) The candidate stands nominated unless and until one of the following events occurs—

- (a) the returning officer decides that the nomination paper is invalid;
- (b) the returning officer is satisfied that the candidate has died;
- (c) the candidate withdraws.

(3) The returning officer is entitled to hold an individual nomination paper invalid only on one of the following grounds—

- (a) that the particulars of the candidate are not as required by law,
- (b) that the paper is not subscribed as required by rule 5(6),
- (c) that the candidate is disqualified under section 16(A1) of the 2006 Act from being a member of the Senedd and from being a candidate to be a member of the Senedd, or
- (d) that the candidate's candidature is in breach of section 7(5) of the 2006 Act⁽¹⁾.

(4) The returning officer must, as soon as reasonably practicable after each individual nomination paper, home address form and consent to nomination form has been delivered, examine them and decide whether the candidate has been validly nominated.

(5) The returning officer must decide on any objection to an individual nomination paper—

- (a) as soon as reasonably practicable after it is made, and
- (b) in any event, before the end of the period of 24 hours beginning with the close of the period for the delivery of nomination papers.

(6) Where the returning officer decides that an individual nomination paper is invalid, the returning officer must endorse on the paper the fact of the decision and the reasons for it, and sign the endorsement.

(7) The returning officer must, as soon as reasonably practicable, give a notice to each candidate stating the returning officer's decision as to whether the candidate's nomination paper is valid or invalid.

(8) The returning officer's decision that an individual nomination paper is valid is final and may not be questioned in any proceedings.

(9) Except as provided by paragraph (8), nothing in this rule prevents the validity of a nomination being questioned on a Senedd election petition.

(1) Section 7 was substituted by section 8 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

Decisions as to the validity of party nomination papers

15.—(1) This rule applies where the following are delivered in accordance with these rules—

- (a) a party nomination paper, together with its party list,
- (b) the home address form of each candidate in that list,
- (c) the consent to nomination of each candidate in that list, and
- (d) the deposit that complies with the requirements of rule 11(2) and (3).

(2) The party and each candidate on its list stands nominated unless and until the returning officer decides that the party nomination paper is invalid.

(3) The returning officer is entitled to hold a party nomination paper invalid only on one of the following grounds—

- (a) that it breaches rule 6(3) or (5),
- (b) that it breaches rule 7(1) or (5),”
- (c) that the paper is not subscribed as required by rule 6(8),
- (d) that the party list includes more than 8 persons, or
- (e) that each candidate included in the party list has, in accordance with paragraphs (4) and (5), ceased to stand nominated.

(4) A candidate on a party list will cease to stand nominated where—

- (a) the returning officer is satisfied that the candidate has died, or
- (b) the candidate withdraws their candidature in accordance with rule 16(3).

(5) The returning officer is entitled to hold that a party list candidate has ceased to stand nominated where—

- (a) the particulars of a candidate are not as required by law,
- (b) a candidate is disqualified under section 16(A1) of the 2006 Act from being a member of the Senedd and from being a candidate to be a member of the Senedd, or
- (c) a candidate’s candidature is in breach of section 7(4) of the 2006 Act.

(6) Where a candidate on a party list ceases to stand nominated by virtue of paragraph (5), it will not of itself prevent any other candidate included on that party list from continuing to stand nominated.

(7) The returning officer must, as soon as reasonably practicable after each—

- (a) party nomination paper, and accompanying party list,
- (b) home address form for each party list candidate, and
- (c) consent to nomination form for each party list candidate,

has been delivered, examine them and decide whether the party has been validly nominated.

(8) Subject to paragraph (9), the returning officer must decide on any objection to a party nomination paper or to a party list candidate—

- (a) as soon as reasonably practicable after it is made, and
- (b) in any event, before the end of the period of 24 hours beginning with the close of the period for the delivery of nomination papers.

(9) If in the opinion of the returning officer a party nomination paper breaches rule 6(3) or (5) or 7(1) or (5), the returning officer must give a decision to that effect—

- (a) as soon as reasonably practicable after the delivery of the nomination paper, and
- (b) in any event, before the end of the period of 24 hours beginning with the close of the period for delivery of nomination papers.

(10) Where the returning officer decides that—

- (a) a party nomination paper is invalid, or
- (b) the name and address of a candidate are to be deleted from a party list,

the returning officer must endorse on the paper the fact of the decision and the reasons for it, and sign the endorsement.

(11) The returning officer must, as soon as reasonably practicable, give a notice to the registered nominating officer of a registered political party which submitted a party nomination paper and party list stating—

- (a) the returning officer's decision as to whether the party's nomination paper is valid or invalid, and
- (b) whether the name and address of any candidates are to be deleted from a party list.

(12) The returning officer's decision that—

- (a) a party nomination paper is valid, or
- (b) the name and address of a candidate are to be deleted from a party list,

is final and may not be questioned in any proceedings.

(13) Subject to paragraphs (11) and (12), nothing in this rule prevents the validity of a nomination being questioned on a Senedd election petition.

Withdrawal of candidates

16.—(1) An individual or party list candidate may withdraw from candidature by giving a notice of withdrawal to the returning officer.

(2) The notice of withdrawal must be—

- (a) signed by the candidate in the presence of a witness who must attest the candidate's signature, and
- (b) delivered to the returning officer.

(3) A registered political party may withdraw the candidature of any or all of the candidates included in a party list of that party by notice of withdrawal—

- (a) signed by the party's registered nominating officer, and
- (b) delivered to the returning officer.

(4) A notice of withdrawal may be delivered either—

- (a) to one of the places specified by the returning officer in the notice of election for the delivery of nomination papers, or
- (b) in accordance with the arrangements set out in the electronic delivery statement (rule 3).

Publication of statement of parties and other persons nominated

17.—(1) The returning officer must prepare and publish a statement of parties and persons nominated showing—

- (a) the persons who have been and stand nominated as individual candidates,
- (b) the registered political parties which have been and stand nominated, together with, in respect of each such party, the list of candidates it has submitted and who have been and stand nominated as the candidates of that party, and
- (c) any other persons or parties who have been nominated but no longer stand nominated, with the reason why they no longer stand nominated.

(2) The statement must show—

- (a) in respect of individual candidates—
 - (i) the names of the persons nominated, as given in their nomination papers,
 - (ii) their addresses, or such relevant information as provided in their home address information (see paragraph (3)), and

- (iii) the information contained in their statements of party membership, as given in their consents to nomination;
- (b) in respect of the registered political parties who have submitted a party list, the names of those parties together with, in respect of each such party—
 - (i) the name, names or descriptions referred to in rule 6(3),
 - (ii) the names of the persons nominated as they appear in that party's list,
 - (iii) the addresses of those persons, or such relevant information as provided in the home address information of those persons (see paragraph (3)), and
 - (iv) the information contained in the statements of party membership of those persons, as given in their consents to nomination.

(3) In these rules, references to the home address information of a person nominated are to the following information as given in the home address form accompanying the nomination paper—

- (a) where the home address form contains a statement that the home address must not be made public, the information given in accordance with rule 8(5);
- (b) where the home address form does not contain such a statement, the address of the person nominated.

(4) Rule 18 (use of commonly used names) and rule 19 (names that are the same or similar) make further provision about the content of the statement of parties and persons nominated.

(5) The statement must show—

- (a) the individual candidates standing nominated arranged together alphabetically;
- (b) the registered political parties which have submitted a party list arranged together alphabetically and, in respect of each such party, the candidates standing nominated arranged, immediately after the entry for the relevant party, in the order that they appear on the party list.

(6) The arrangement of registered political parties referred to in paragraph (5)(b) is to be shown in the statement before the arrangement of individual candidates referred to in paragraph (5)(a) is so shown.

(7) For the purposes of paragraph (5)(a), alphabetical order is to be determined by reference to the surnames of the individual candidates, and if there are two or more of them with the same surname, the statement

must show those persons arranged alphabetically in the order of their other names.

(8) For the purposes of paragraph (5)(b)—

- (a) a registered political party is to be shown in the statement by reference to the name or names, or description referred to in rule 6(3) in respect of the party, and
- (b) alphabetical order is to be determined by disregarding the definite or indefinite article, and where there are two or more words in the name or names, or description, having disregarded the definite or indefinite article, by reference to the first of those words and, if there are two or more parties with the same first word, of the other words.

(9) In the case of a person nominated by more than one individual nomination paper, the returning officer must take the particulars required by the previous provisions of this rule from such one of the papers as the candidate, or the returning officer in default of the candidate, may select.

(10) In the case of a registered political party which has delivered more than one party nomination paper, and where the party list candidates of that party stand nominated by more than one party list submitted with those papers, the returning officer must take the particulars required by the previous provisions of this rule from such one of the party nomination papers and the party list with that paper as the registered nominating officer of the party, or the returning officer in default of the registered nominating officer, may select.

(11) Where a candidate is shown standing nominated by a list which is not selected in accordance with paragraph (10), that candidate will no longer stand nominated.

(12) The returning officer must send to the Electoral Commission a copy of the statement of parties and persons nominated.

Use of commonly used names in statement of parties and persons nominated

18.—(1) This rule applies where—

- (a) a person's individual nomination paper gives commonly used forenames or surnames in accordance with rule 5(5), and
- (b) a party list gives a commonly used forename or surname for a candidate on that list in accordance with rule 6(7).

(2) The statement of parties and persons nominated must show the person's commonly used forenames or surnames, instead of the forenames or surnames stated

in the nomination paper in accordance with rules 5(4)(a) and 6(6), unless the returning officer decides—

- (a) that the use of the person's commonly used forenames or surnames may be likely to mislead or confuse electors, or
 - (b) that the commonly used forenames or surnames are obscene or offensive.
- (3) Where paragraph (2)(a) or (b) applies—
- (a) the statement of parties and persons nominated must show the person's other forenames or surnames as stated in the nomination paper in accordance with rules 5(4)(a) and 6(6), instead of the commonly used forenames or surnames, and
 - (b) the returning officer must give a notice to the candidate stating the reasons for refusing to allow the use of the commonly used forenames or surnames.

Names that are the same or similar

19.—(1) This rule applies where, in preparing a statement of parties and persons nominated, the returning officer decides that—

- (a) two or more of the names that would be shown on the statement are the same or so similar as to be likely to cause confusion,
- (b) each of the persons concerned has made a statement that they require their home address not to be made public (see rule 8(4)), and
- (c) the information given in accordance with rule 8(5) is the same for each of them.

(2) The returning officer may arrange for any of their particulars to be shown on the statement of parties and persons nominated with such amendments or additions as the returning officer thinks appropriate to reduce the likelihood of confusion.

(3) In deciding whether to make amendments or additions under this rule, the returning officer must have regard to any guidance given by the Electoral Commission for the purposes of this rule.

(4) Where it is practicable to do so before the publication of the statement, the returning officer must consult any persons whose particulars are to be amended or added to under this rule.

(5) The returning officer must give a notice to any person whose particulars are amended or added to under this rule, setting out the amendments or additions.

(6) Anything done by a returning officer under this rule may not be questioned in any proceedings other than proceedings on a Senedd election petition.

Correction of minor errors in nomination papers, home address forms or consent to nomination forms

20.—(1) A returning officer may, at any time before the publication of the statement of parties and persons nominated, correct minor errors in a nomination paper, home address form or consent to nomination form.

(2) Errors which may be corrected include—

- (a) obvious errors of spelling;
- (b) errors as to the information given in accordance with rule 8(5) (information that must be included where the candidate has stated that the home address must not be made public).

(3) Anything done by a returning officer under this rule may not be questioned in any proceedings other than proceedings on a Senedd election petition.

(4) In deciding whether to correct minor errors under this rule, a returning officer must have regard to any guidance given by the Electoral Commission for the purposes of this rule.

Inspection of nomination papers and consent to nomination forms

21.—(1) During the time for inspection, any person may inspect nomination papers and consent to nomination forms that have been delivered.

(2) In paragraph (1), “the time for inspection” means ordinary office hours on any day after the last day for the delivery of nomination papers and before the day of the poll, other than an excluded day.

(3) A person inspecting nomination papers or consent to nomination forms may take a copy of, or make extracts from, the papers.

(4) Where nomination papers have been delivered in accordance with the electronic delivery statement, the returning officer must take reasonable steps to ensure that they can be accessed for the purposes of inspecting them.

Inspection of home address forms

22.—(1) During the time for inspection, the home address form of an individual or party list candidate standing nominated (“candidate A”) may be inspected by any of the following who wish to inspect it—

- (a) another individual or party list candidate (“candidate B”) standing nominated in the same constituency as candidate A,
- (b) the election agent or subscriber of candidate B, or

- (c) where candidate B is an individual candidate and acting as their own election agent, another person selected by candidate B.

(2) Where a person has been nominated by more than one nomination paper, the reference to the subscriber in paragraph (1)(b) is to—

- (a) the subscriber on the nomination paper that the candidate may select, or
- (b) in the absence of such a selection, the nomination paper which was first delivered in accordance with rule 5(2) or 6(2).

(3) In paragraph (1), “the time for inspection” means ordinary office hours on any day after the last day for the delivery of nomination papers and before the day of the poll, other than an excluded day.

(4) Where a home address form has been delivered in accordance with the electronic delivery statement, the returning officer must take reasonable steps to ensure that the persons mentioned in paragraph (1) can access that form for the purposes of inspecting it.

(5) A candidate or other person carrying out an inspection under this rule must not take a copy of, or make extracts from, a home address form.

(6) The returning officer must not permit a home address form to be inspected otherwise than in accordance with this rule or for some other purpose authorised by law.

(7) The returning officer must destroy each candidate’s home address form—

- (a) on the next day following the thirty-fifth day after the returning officer has returned the name of the member elected, or
- (b) if a Senedd election petition questioning the election or return is presented before that day, as soon as practicable following the conclusion of proceedings on the petition or on appeal from such proceedings.

(8) For the purposes of paragraph (7)(a), any day that is an excluded day must be disregarded.

Adjournment of nomination proceedings in the case of riot

23.—(1) This rule applies if proceedings for, or in connection with, nomination are interrupted or obstructed on any day by riot or open violence.

(2) The proceedings must be abandoned for that day.

(3) If the day on which the proceedings are abandoned is the last day for the delivery of nomination papers, the proceedings must be resumed on the next day.

(4) Where paragraph (3) requires proceedings to be resumed on the next day, the deadlines specified in the

second column of the timetable in rule 1 for the delivery of nomination papers, the delivery of notices of withdrawals of candidature and the publication of the statement as to persons nominated are each extended by one day.

(5) Where proceedings are abandoned under this rule—

- (a) nothing may be done after the proceedings are resumed if the time for doing it had passed when the proceedings were abandoned, and
- (b) nothing done before the proceedings were abandoned is invalidated by reason of the abandonment.

Method of election

Method of election

24.—(1) Subject to paragraph (2), if the statement of parties and persons standing nominated at a constituency election shows more candidates, whether as individual candidates or party list candidates, than the number of seats for that constituency, a poll must be taken in accordance with Part 3 of these rules.

(2) Where each candidate is included on the same party list, those candidates will be declared to be elected in accordance with Part 4 of these rules in the order that they are included on that list, starting with the highest, up to the number of seats for the constituency.

(3) But if the statement of parties and persons standing nominated shows the number of candidates, whether as individual candidates or party list candidates, is the same as, or fewer than, the number of seats for the constituency, those candidates must be declared to be elected in accordance with Part 4 of these rules.

(4) Paragraph (2) or (3) also applies where notice of poll at a constituency election is countermanded or the poll abandoned under rule 72(1) (election becomes uncontested through death of a candidate).

PART 3

Contested elections

General provisions

Poll to be taken by ballot

25.—(1) The votes at the poll must be given by ballot.

(2) The result must be ascertained after counting the votes given to each individual candidate or registered political party in each constituency.

(3) The candidates who, in accordance with sections 8 and 9 of the 2006 Act⁽¹⁾ are returned as Senedd members, must be declared to have been elected.

The ballot papers

26.—(1) The ballot of every voter must consist of a ballot paper.

(2) Only the following, and no others, are entitled to have their names and descriptions inserted into a ballot paper—

- (a) the registered political parties which have submitted a party list and are shown in the statement of parties and persons nominated, together with the party list candidates appearing on the party list of each such party and as standing nominated, and
- (b) the persons shown in that statement standing nominated as individual candidates.

(3) A ballot paper must be—

- (a) in form 12 set out in Welsh and English in Schedule 10, and
- (b) printed in accordance with the directions in form 13 in that Schedule.

(4) The ballot paper must—

- (a) contain the names of the individual candidates shown in the statement of parties and persons nominated, but must not contain a candidate's home address information,
- (b) contain the names or descriptions of the registered political parties shown in the statement of parties and persons nominated, together with the names of the candidates included on those parties' lists,
- (c) where a registered political party has elected to use the word "Wales", "Welsh", "Cymru" or "Cymreig" in the registered party name as set out in rules 6(4) and 7(2) and (3), display that word or those words on the ballot paper,
- (d) be capable of being folded up, and
- (e) have a number and other unique identifying mark printed on the back.

(5) The order of—

- (a) the names or descriptions of the registered political parties, and
- (b) the individual candidates,

in the ballot paper must be the same as in the statement of parties and persons nominated.

(1) Sections 8 and 9 were substituted by section 8 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

(6) If a certificate received by the returning officer under rule 7(1) requests that a registered political party's emblem, or one of the party's registered emblems, be shown on the ballot paper, the ballot paper must also contain that emblem to the right of the party's name.

Corresponding number list

27.—(1) The returning officer must prepare a list ("the corresponding number list") in accordance with this rule.

(2) The corresponding number list must be in two parts.

(3) Part 1 must contain the numbers and unique identifying marks of all ballot papers to be issued in pursuance of rule 32(1) (postal ballot papers).

(4) Part 2 must contain the numbers, but not the unique identifying marks, of all ballot papers to be provided in pursuance of rule 37(1) (provision of ballot boxes and ballot papers at polling stations).

(5) The corresponding number list must be in form 14 set out in Welsh and English in Schedule 10, or a form to the like effect.

The official mark

28.—(1) Each ballot paper must contain an appropriate security marking ("the official mark").

(2) The official mark must be kept secret.

(3) An interval of not less than seven years must intervene between the use of the same official mark at an election for the same Senedd constituency.

(4) The returning officer may use a different official mark for different purposes at the same election.

Prohibition of disclosure of vote

29. A person who has voted at the election may not be required to state for whom they voted in any legal proceedings to question the election.

Use of schools and public rooms

30.—(1) The returning officer may use any of the following rooms free of charge for the purpose of taking the poll or counting the votes—

- (a) a room in a school maintained or assisted by a county or county borough council;
- (b) a room in a school in respect of which grants are made out of money provided by the Senedd to the person or body responsible for the management of the school;

- (c) any other room if the expense of maintaining the room is payable wholly or mainly out of public funds.

(2) Where a room described in paragraph (1) is used for the purpose of taking the poll or counting the votes, the returning officer must—

- (a) make good any damage to the room resulting from its use for that purpose, and
- (b) defray any expense incurred by the person or body having control over the room by reason of its use for that purpose.

(3) The use of a room in an unoccupied building for that purpose does not render a person liable to pay any council tax or non-domestic rates.

Action to be taken before the poll

Notice of poll

31.—(1) The statement of parties and persons nominated required by rule 17 must include a notice of poll stating the day and hours fixed for the poll.

(2) The returning officer must, before or at the same time as publishing notice of the poll, also publish notice of—

- (a) the situation of each polling station, and
- (b) the description of voters entitled to vote there.

(3) The notice required in accordance with paragraph (2) may be combined with the statement of parties and persons nominated required by rule 17.

(4) The returning officer must, as soon as practicable after publishing notice under paragraph (2), give a copy of it to each of the election agents appointed in accordance with article 39.

Postal ballot papers

32.—(1) The returning officer must, in accordance with Schedule 2, issue to those entitled to vote by post—

- (a) a ballot paper, and
- (b) a postal voting statement,

in the forms set out in Schedule 10, together with such envelopes for the return of the ballot paper and postal voting statement as may be prescribed by Schedule 2.

(2) The returning officer must also issue to those entitled to vote by post such information as the returning officer considers appropriate about how to obtain—

- (a) translations into languages other than Welsh and English of any directions to or guidance for voters sent with the ballot paper,

- (b) a translation into Braille of such directions or guidance,
- (c) graphical representations of such directions or guidance, and
- (d) the directions or guidance in any other form, including any audible form.

(3) The postal voting statement must include provision—

- (a) for the form to be signed by the elector or, where the elector is voting by proxy, the proxy, unless the registration officer has dispensed with the requirement for a signature, and
- (b) for stating the date of birth of the elector or, where the elector is voting by proxy, the proxy.

(4) In the case of a ballot paper issued to a person at an address in the United Kingdom, the returning officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter.

Return of postal ballot papers

33.—(1) Where a postal vote has been returned in respect of a person who is entered on the postal voters list, the returning officer must mark the appropriate list in the manner prescribed in Schedule 2.

(2) Where a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list, the returning officer must mark the appropriate list in the manner prescribed in Schedule 2.

(3) Rule 58(7) does not apply for the purpose of deciding whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.

Provision of polling stations

34.—(1) The returning officer must—

- (a) provide a sufficient number of polling stations, and
- (b) subject to paragraph (3), allot the electors to the polling stations.

(2) One or more polling stations may be provided in the same room.

(3) The polling station allotted to electors from any polling district must be in the polling place for that district.

(4) The returning officer must provide each polling station with such number of compartments as may be necessary in which voters can mark their votes screened from observation.

Appointment of presiding officers and clerks

35.—(1) The returning officer must appoint and pay—

- (a) a presiding officer to attend at each polling station, and
- (b) such number of clerks as may be necessary for the purposes of the poll or the count or otherwise for the purposes of the election.

(2) The returning officer must not knowingly appoint, as a presiding officer or clerk—

- (a) an individual candidate,
- (b) a party list candidate, or
- (c) a person who has been employed by or on behalf of an individual candidate or a registered political party in connection with the election.

(3) The returning officer may preside at a polling station.

(4) Where the returning officer presides at a polling station, these rules apply to the returning officer so presiding with the necessary modifications as to things done by the returning officer in relation to the presiding officer or by the presiding officer in relation to the returning officer.

(5) A presiding officer may authorise the clerks to do anything, including asking questions, that the presiding officer is required or authorised by these rules to do, except ordering the arrest, exclusion or removal of any person from the polling station.

Issue of official poll cards

36.—(1) The returning officer must, as soon as practicable after publishing notice of the election, send or deliver—

- (a) an official poll card to electors not voting by post,
- (b) an official postal poll card to electors voting by post and not by proxy,
- (c) an official proxy poll card to a person voting as proxy for an elector and not by post, and
- (d) an official proxy postal poll card to a person voting as proxy for an elector by post.

(2) An official poll card or an official postal poll card must be sent or delivered to the elector's qualifying address.

(3) An official proxy poll card or an official proxy postal poll card must be sent or delivered to the proxy's address, as shown in the list of proxies.

(4) Subject to paragraph (5), each poll card must be in the appropriate form set out in Welsh and English in

Schedule 10 or a form to the like effect and must set out—

- (a) the name of the Senedd constituency to which the members are to be elected,
- (b) the elector's name, qualifying address and number on the register,
- (c) the date and hours of the poll and the situation of the elector's polling station, and
- (d) such other information, not relating to any candidate or registered political party, as the returning officer considers appropriate.

(5) Paragraph (4)(c) does not apply to poll cards issued to postal voters and postal proxy voters (forms 17 and 18 in Schedule 10).

(6) Different information may be provided under paragraph (4)(d) to different electors or descriptions of elector.

(7) In the case of an elector with an anonymous entry, the poll card must—

- (a) contain such information as is specified in the appropriate form in Schedule 10 instead of the information set out in paragraph (4)(b), and
- (b) be sent or delivered in an envelope or other form of covering so as not to disclose that the elector has an anonymous entry.

(8) In this rule “elector”—

- (a) means a person who is registered in the register for the Senedd constituency on the last day for the publication of notice of the election, and
- (b) includes a person then shown in the register or, in the case of a person with an anonymous entry in the register, in the record of anonymous entries, as below voting age, but only if it appears from the register, or the record of anonymous entries, that the person will be of voting age on the day fixed for the poll.

Equipment of polling station

37.—(1) The returning officer must provide each presiding officer with such number of ballot boxes and ballot papers as the returning officer considers necessary.

(2) Each ballot box must be constructed so that ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or, where the box has no lock, without the seal being broken.

(3) The returning officer must provide the presiding officer at each polling station with—

- (a) materials to enable voters to mark the ballot papers,
- (b) copies of the relevant register of electors,
- (c) copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act⁽¹⁾ so far as relating to the relevant register of electors (notices in respect of alterations to the register),
- (d) copies of the parts of any lists of persons entitled to vote by post or by proxy that correspond to the relevant register of electors, and
- (e) a list (“the polling station's corresponding number list”) consisting of that part of Part 2 of the corresponding number list prepared under rule 27 that contains the numbers, but not the other unique identifying marks, corresponding to those on the ballot papers provided to the presiding officer under paragraph (1).

(4) The documents provided in accordance with paragraph (3)(b), (d) and (e) may be provided in paper form or electronic form.

(5) In paragraph (3), “the relevant register of electors” means the register of electors for the constituency or such part of it as contains the entries relating to the electors allotted to the polling station.

(6) The returning officer must cause to be displayed at each polling station an enlarged sample copy of the ballot paper which complies with article 138(4) and (6).

(7) The returning officer must also provide each polling station with—

- (a) an enlarged hand-held sample copy of the ballot paper which complies with article 138(6), for the assistance of voters who are partially-sighted, and
- (b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently in the manner directed by rule 48, including in relation to voting secretly.

(8) In this rule, “relevant persons” means persons who find it difficult or impossible to vote in the manner directed by rule 46 because of—

- (a) severe sight impairment or partial sight, or
- (b) another disability.

(1) Section 13B was inserted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2). Subsequent amendments have been made to section 13(b) which are not relevant here.

(9) The sample copy of the ballot paper required to be displayed and provided by paragraphs (6) and (7)(a) must be clearly marked as specimen and provided only for the guidance of voters.

(10) The returning officer must also cause a notice in form 19 set out in Welsh and English in Schedule 10, giving directions for the guidance of voters in voting, to be displayed—

- (a) inside each polling station, but outside the voting compartments, and
- (b) outside each polling station.

(11) The appropriate statement of parties and persons nominated referred to in rule 17 must be printed in conspicuous characters and exhibited inside and outside every polling station.

(12) A notice containing the following information must be exhibited inside each voting compartment in each polling station—

“Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae’n bosibl na chaiff eich pleidlais ei chyfrif.

Vote only once on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.”

(13) The Electoral Commission must give guidance to returning officers in relation to the duty imposed by paragraph (7)(b).

(14) Before giving guidance under paragraph (13), the Electoral Commission must consult such persons, including bodies representing the interests of relevant persons, as it considers appropriate.

(15) In performing the duty imposed by paragraph (7)(b), a returning officer must have regard to guidance given under paragraph (13).

Appointment of polling and counting agents

38.—(1) An individual candidate and the election agent for a registered political party standing nominated may, before the poll begins, appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation, and
- (b) counting agents to attend at the counting of votes.

(2) The returning officer may limit the number of counting agents that may be appointed under paragraph (1), so that—

- (a) the number is the same for each individual candidate or registered political party, and
- (b) the number allowed to an individual candidate or registered political party is not, except in

special circumstances, less than the number obtained by dividing the number of clerks employed on the counting by the number of individual candidates and registered political parties standing nominated.

(3) Notice in writing of an appointment under paragraph (1) must be given to the returning officer by the person making the appointment.

(4) The notice must—

- (a) give the names, postal addresses and e-mail addresses, where available, of the persons appointed, and
- (b) be given no later than the fifth day before the day of the poll, disregarding any excluded day.

(5) If a polling agent or counting agent dies or becomes incapable of acting, the person who made the appointment—

- (a) may appoint another agent in their place, and
- (b) must immediately give the returning officer a notice stating the other agent's name, postal address and e-mail address, where available.

Polling and counting agents: supplemental provision

39.—(1) An individual candidate or the election agent for an individual candidate or a registered political party standing nominated may—

- (a) do anything that the polling or counting agent of that candidate or party is authorised to do, or would, if appointed, have been authorised to do;
- (b) assist the polling or counting agent of that candidate or party to do anything that the polling or counting agent is authorised to do.

(2) Anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done instead in the presence of the election agent of the individual candidate or party.

(3) Where these rules require or authorise something to be done in the presence of the polling or counting agents, the non-attendance of the agent or agents at the time and place appointed does not invalidate the thing done.

(4) Any notice required to be given to a counting agent by the returning officer may be sent to the postal or e-mail address provided in the notice of appointment.

(5) Where an individual candidate or registered political party standing nominated does not have a counting agent, the returning officer may give the

candidate or the party any notice that is required by these rules to be given to the counting agent.

Notification of requirement of secrecy

40.—(1) The returning officer must make arrangements to ensure that every person attending at a polling station, other than a person described in paragraph (2), has been given a notice setting out the provisions of article 35(1), (2), (4) and (7).

(2) The persons to whom the duty under paragraph (1) does not apply are—

- (a) a person attending the polling station for the purpose of voting;
- (b) a person under the age of 16 who accompanies a voter to the polling station;
- (c) a person attending the polling station as the companion of a voter with disabilities;
- (d) a person attending the polling station as a constable on duty.

(3) In this rule, a reference to a constable includes a person designated as a community support officer or community support volunteer under section 38 of the Police Reform Act 2002⁽¹⁾ (police powers for civilian staff and volunteers).

The poll

Admission to polling station

41.—(1) The presiding officer must exclude all persons from the polling station except—

- (a) voters allotted to the polling station,
- (b) persons under the age of 16 who accompany voters to the polling station,
- (c) the individual and party list candidates,
- (d) the election agents of individual candidates, or in relation to any registered political party standing nominated, the election agent of such a party in respect of the list it has submitted,
- (e) the polling agents appointed to attend at the polling station,
- (f) the clerks appointed to attend at the polling station,

(1) 2002 c. 30. Section 38 was amended by Part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c. 15); paragraph 2 of Schedule 5 to the Police and Justice Act 2006 (c. 48); paragraph 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13); and sections 8(7) and 38 (as amended by S.I. 2017/1162) of, and paragraph 82 of Schedule 1 to, the Policing and Crime Act 2017 (c. 3).

- (g) the returning officer or members of the returning officer's staff,
- (h) persons who are entitled to attend by virtue of any of section 6A to 6D of the 2000 Political Parties Act⁽¹⁾ (representatives of the Electoral Commission and accredited observers),
- (i) the constables on duty, and
- (j) the companions of voters with disabilities.

(2) The presiding officer must regulate the total number of voters and persons under the age of 16 who accompany them who are admitted to the polling station at the same time.

(3) Not more than one party list candidate from the same party list submitted by a registered political party may be admitted at the same time to a polling station.

(4) Not more than one polling agent may be admitted at the same time to a polling station on behalf of the same individual candidate or on behalf of the same registered political party.

(5) A constable voting in person may do so either—

- (a) at the polling station allotted under these rules, or
- (b) at another polling station, if the constable produces and surrenders a certificate in form 2 set out in Welsh and English in Schedule 10, or a form to the like effect, signed by an officer of police of or above the rank of inspector.

(6) A person employed by the returning officer, if voting in person, may do so either—

- (a) at the polling station allotted under these rules, or
- (b) at another polling station, if the person produces and surrenders a certificate in form 2 set out in Welsh and English in Schedule 10, or a form to the like effect, signed by the returning officer.

(7) A certificate surrendered under paragraph (5) or (6) must immediately be cancelled.

(8) In this rule, a reference to a constable includes a reference to a person designated as a community support officer or community support volunteer under section 38 of the Police Reform Act 2002 (police powers for civilian staff and volunteers).

(1) Sections 6A to 6D were inserted by section 29 of the Electoral Administration Act 2006 (c. 22). Section 6A was amended by paragraph 10 of Schedule 10 to Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 3 of Schedule 6 to the Recall of MPs Act 2015 (c. 25) and S.I. 2007/1388. Section 6C was amended by paragraph 5 of Schedule 2 to the Senedd and Elections (Wales) Act 2020 (anaw. 1). Section 6D was amended by paragraph 6 of Schedule 2 to the Senedd and Elections (Wales) Act 2020.

Keeping of order in the polling station

42.—(1) The presiding officer must keep order at the polling station.

(2) If a person engages in misconduct in a polling station, or fails to obey any orders lawfully given by the presiding officer, the presiding officer may order that the person be removed from the polling station.

(3) Where the presiding officer orders that a person be removed, the person may be removed immediately—

- (a) by a constable in or near the polling station, or
- (b) by any other person authorised in writing by the returning officer to remove people from the polling station.

(4) Where a person is removed, the person must not, without the presiding officer's permission, re-enter the polling station on the day of the poll.

(5) Where a person who is removed is charged with the commission of an offence in the polling station, the person may be dealt with as a person taken into custody by a constable for an offence without a warrant.

(6) The powers conferred by this rule must not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of the ballot boxes

43.—(1) The presiding officer must take the following steps immediately before the poll begins.

(2) The presiding officer must show the empty ballot box to those people, if any, who are present in the polling station, so that they may see that it is empty.

(3) The presiding officer must then—

- (a) lock up the box, if it has a lock, and
- (b) place the presiding officer's seal on it, in such a way as to prevent it being opened without breaking the seal.

(4) The presiding officer must then place the box, within the presiding officer's view, for the receipt of ballot papers.

(5) The presiding officer must keep the box locked and sealed or, if it does not have a lock, keep it sealed.

Questions to be put to voters

44.—(1) At the time of an application for a ballot paper, but not afterwards, the presiding officer may put to any person described in column (1) of Table 1 (set out in paragraph (4)) or in column (1) of Table 2 (set

out in paragraph (5)), one or more of the questions set out in the corresponding entries in columns (2) and (3).

(2) If required to do so by a candidate or the election or polling agent of an individual candidate or registered political party standing nominated, the presiding officer must put to any person described in column (1) of Table 1 one or more of the questions set out in the corresponding entries in columns (2) and (3).

(3) A question may be asked in English (as set out in column (2) of the Tables) or Welsh (as set out in column (3) of the Tables).

(4) Table 1 sets out the questions that a presiding officer may put under paragraph (1) and that a candidate, or election or polling agent of an individual candidate or registered political party standing nominated may require to be put under paragraph (2).

Table 1

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
Description	Question to be asked in English	Question to be asked in Welsh
1. A person applying as an elector	1(a) “Are you the person registered in the register of local government electors as follows?” <i>Notes to 1(a)</i> <i>The presiding officer must then read the whole entry from the copies of the registration records.</i>	1(a) “Ai chi yw’r person sydd wedi ei gofrestru yn y gofrestr etholwyr llywodraeth leol fel a ganlyn?” <i>Nodiadau ar 1(a)</i> <i>Yna rhaid i’r swyddog llywyddu ddarllen y cofnod cyfan o’r copïau o’r cofnodion cofrestru.</i>
	1(b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person?”	1(b) “Ydych chi eisoes wedi pleidleisio, fan hyn neu rywle arall, yn yr etholiad hwn, heblaw fel dirprwy ar ran rhyw berson arall?”
2. A person	2(a) “Are you	2(a) “Ai chi

applying as a proxy for an elector other than an elector who has an anonymous entry	the person whose name appears as AB in the list of proxies for this election as entitled to vote as proxy on behalf of CD?"	yw'r person y mae ei enw'n ymddangos fel AB yn y rhestr dirprwyon ar gyfer yr etholiad hwn fel person sydd â hawl i bleidleisio fel dirprwy ar ran CD?"
	2(b) "Have you already voted, here or elsewhere, at this election, as proxy on behalf of CD?"	2(b) "Ydych chi eisoes wedi pleidleisio, fan hyn neu rywle arall, yn yr etholiad hwn, fel dirprwy ar ran CD?"
	2(c) "Are you the spouse, civil partner, parent, grandparent, brother, sister or grandchild of CD?"	2(c) "Ai chi yw priod, partner sifil, rhiant, taid/tad-cu, nain/mam-gu, brawd, chwaer, ŵyr neu wyres CD?"
	<u>Notes to 2(a) to (c)</u> <i>Where a question refers to AB, the presiding officer reads out the name as it appears in the list of proxies. Where a question refers to CD, the presiding officer reads out the name of the elector.</i>	<u>Nodiadau ar 2(a) i (c)</u> <i>Pan fo cwestiwn yn cyfeirio at AB, mae'r swyddog llywyddu'n darllen yr enw fel y mae'n ymddangos yn y rhestr dirprwyon. Pan fo cwestiwn yn cyfeirio at CD, mae'r swyddog llywyddu'n darllen enw'r etholwr.</i>
3. A person applying as proxy for an elector who has an anonymous entry, instead of the questions at	3(a) "Are you the person entitled to vote as proxy on behalf of the elector whose number on the	3(a) "Ai chi yw'r person sydd â hawl i bleidleisio fel dirprwy ar ran yr etholwr sydd â'r rhif [X] yn y

entry 2.	register of electors is [X]?"	gofrestr etholwyr?"
	3(b) Have you already voted, here or elsewhere, at this election, as proxy on behalf of the elector whose number on the register of electors is [X]?"	3(b) "Ydych chi eisoes wedi pleidleisio, fan hyn neu rywle arall, yn yr etholiad hwn, fel dirprwy ar ran yr etholwr sydd â'r rhif [X] yn y gofrestr etholwyr?"
	3(c) Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the elector whose number on the register of electors is [X]?"	3(c) "Ai chi yw priod, partner sifil, rhiant, taid/tad-cu, nain/mam-gu, brawd, chwaer, plentyn, ŵyr neu wyres yr etholwr sydd â'r rhif [X] yn y gofrestr etholwyr?"
	<u>Note to 3(a) to (c)</u> Where the questions in this entry refer to [X], the presiding officer must read the elector's number from the copies of the registration records.	<u>Nodiadau ar 3(a) i (c)</u> Pan fo'r cwestiynau yn y cofnod hwn yn cyfeirio at [X], rhaid i'r swyddog llywyddu ddarllen rhifyr etholwr o'r copïau o'r cofnodion cofrestru.
4. A person applying as proxy who has been asked the question numbered 2(c) or 3(c) and has not answered "yes"	4 "At this election, have you already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister,	4 "Yn yr etholiad hwn, ydych chi eisoes wedi pleidleisio yn yr etholaeth hon ar ran dau berson nad ydych yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu'n

child or
grandchild?”

nain/mam-gu,
yn frawd, yn
chwaer, yn
blentyn, yn ŵyr
neu’n wyres
iddynt?”

(5) Table 2 sets out the questions that a presiding officer may put under paragraph (1), but cannot be required to put under paragraph (2).

Table 2

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
Description	Question to be asked in English	Question to be asked in Welsh
1. A person applying as an elector in relation to whom there is an entry in the postal voters list	1(a) “Did you apply to vote by post?” 1(b) “Why have you not voted by post?”	1(a) “Wnaethoch chi gais am bleidleisio drwy’r post?” 1(b) “Pam nad ydych chi wedi pleidleisio drwy’r post?”
2. A person applying as proxy who is named in the proxy postal voters list.	2(a) “Did you apply to vote by post as proxy?” 2(b) “Why have you not voted by post as proxy?”	2(a) “Wnaethoch chi gais am bleidleisio drwy’r post fel dirprwy?” 2(b) “Pam nad ydych chi wedi pleidleisio drwy’r post fel dirprwy?”

(6) A ballot paper must not be given to any person required to answer one or more of the questions in Table 1 or 2 unless the person has answered the question or questions satisfactorily.

(7) Except as authorised by this rule, no inquiry is permitted as to the right of any person to vote.

(8) In this rule, “the copies of the registration records” means the copies provided by the returning officer for the polling station under rule 37(3)(b) and (c) (copies of the relevant register of electors and copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act relating to the relevant register of electors).

Challenge of voter

45. A person must not be prevented from voting by reason only that—

- (a) a candidate or an election or polling agent of an individual candidate or registered political party declares that they have reasonable cause to believe that the person has committed an offence of personation, or
- (b) the person is arrested on the grounds that they are suspected of committing or being about to commit an offence of personation.

Voting procedure

46.—(1) A ballot paper must be given to a voter who applies for one.

(2) Immediately before the ballot paper is given—

- (a) the number of the elector, as stated in the copies of the registration records, must be called out,
- (b) unless the elector has an anonymous entry, the name of the elector, as stated in the copies of the registration records, must also be called out,
- (c) the number of the elector must be marked on the polling station's corresponding number list beside the number of the ballot paper to be issued,
- (d) a mark must be placed in the copies of the registration records against the number of the elector to note that a ballot paper has been received, but without showing the particular ballot paper that has been received, and
- (e) in the case of a person applying for a ballot paper as proxy, a mark must also be placed against the person's name in the list of proxies.

(3) In the case of an elector who has an anonymous entry—

- (a) the ballot paper may be given only if the elector's official poll card or, where the elector is voting by proxy, the proxy's official poll card is shown to the presiding officer, and
- (b) only the elector's number may be called out.

(4) On receiving the ballot paper, the voter must go immediately into one of the compartments in the polling station.

(5) Without undue delay, the voter must then—

- (a) secretly mark the ballot paper,
- (b) fold the ballot paper up so as to conceal the vote,

- (c) show the presiding officer the back of the ballot paper, so as to disclose the number and other unique identifying mark, and
- (d) put the ballot paper into the ballot box in the presiding officer's presence.

(6) As soon as the voter has put the ballot paper in the ballot box, the voter must leave the polling station.

(7) If a voter is in the polling station, or in a queue outside the polling station, at the close of the poll and has not yet been able to cast their vote, the presiding officer must permit the voter to cast their vote as soon as practicable.

(8) In this rule, “the copies of the registration records” has the same meaning as in rule 44 (see paragraph (8) of that rule).

Voters with a disability or unable to read: marking of votes by presiding officer

47.—(1) A voter may apply to the presiding officer for their vote to be marked if the voter—

- (a) is unable, because of severe sight impairment or other disability, to vote in the manner directed by these rules, or
- (b) declares orally that they are unable to read.

(2) Where an application is made, the presiding officer must, in the presence of any polling agents who are in the polling station when the application is made—

- (a) cause the voter's vote to be marked on a ballot paper in the manner directed by the voter, and
- (b) cause the ballot paper to be placed in the ballot box.

(3) Where a voter's vote is marked in pursuance of paragraph (2), the presiding officer must enter the following details on a list maintained by the presiding officer for the purposes of this rule (“the list of votes marked by the presiding officer”)—

- (a) the name and number of the voter, as shown in the copies of the registration records, and
- (b) the reason why the vote was marked.

(4) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name in the list of votes marked by the presiding officer is the elector's number.

(5) In this rule, “the copies of the registration records” has the same meaning as in rule 44 (see paragraph (8) of that rule).

**Voters with a disability or unable to read:
assistance of companions**

48.—(1) A voter may apply to the presiding officer, on the ground of severe sight impairment or other disability or inability to read, to be allowed to vote with the assistance of a companion.

(2) Where an application is made, the presiding officer must require the voter to declare, orally or in writing, whether the voter is so affected by severe sight impairment or other disability, or by inability to read, as to be unable to vote without the assistance of a companion.

(3) In the following provisions of this rule, a voter who declares that they are so affected by severe sight impairment or other disability, or by inability to read, as to be unable to vote without the assistance of a companion is referred to as a voter with disabilities.

(4) At the time when an application to vote with the assistance of a companion is made, the companion must make a written declaration before the presiding officer that the companion—

- (a) has attained the age of 16, and
- (b) has not previously assisted more than one voter with disabilities to vote at the election.

(5) The companion's declaration must be—

- (a) in form 20 set out in Welsh and English in Schedule 10, and
- (b) given to the presiding officer who must attest it and retain it.

(6) The presiding officer must grant the voter's application for the assistance of a companion if the presiding officer—

- (a) is satisfied that the voter is so affected by severe sight impairment or other disability, or by inability to read, as to be unable to vote without the assistance of a companion, and
- (b) is also satisfied by the companion's written declaration that the companion has attained the age of 16 and has not previously assisted more than one voter with disabilities to vote at the election.

(7) Where the application is granted—

- (a) anything that is required to be done by these rules to the voter in connection with the giving of the vote may be done instead to the companion, and
- (b) the voter may do anything that needs to be done in connection with the giving of the vote with the assistance of the companion.

**Voting with the assistance of a companion:
supplemental provision**

49.—(1) Where a vote is given with the assistance of a companion in accordance with rule 48, the presiding officer must then enter the following details in a list maintained by the presiding officer (“the list of voters with disabilities assisted by companions”)—

- (a) the name and number of the voter, as shown in the copies of the registration records, and
- (b) the name and address of the companion.

(2) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name in the list of voters with disabilities assisted by companions is the elector's number.

(3) Where the voter has an anonymous entry, only the voter's number in the copies of the registration records may be entered in the list of voters with disabilities assisted by companions.

(4) No fee or other payment may be charged in respect of a declaration made by a companion under rule 48(4).

(5) In this rule, “the copies of the registration records” has the same meaning as in rule 44 (see paragraph (8) of that rule).

Tendered ballot papers: circumstances where available

50.—(1) The procedure for giving the vote is modified in accordance with paragraph (2) where a person who applies for a vote (“the applicant”)—

- (a) is entitled to vote on satisfactorily answering the questions that are permitted to be asked at the poll in accordance with rule 44, and
- (b) falls within any of the circumstances set out in paragraphs (3) to (8).

(2) The applicant must—

- (a) use a ballot paper that is of a different colour to other ballot papers, and
- (b) give the ballot paper to the presiding officer (instead of putting it in the ballot box).

Circumstances where vote already given in person

(3) The first set of circumstances is where—

- (a) the applicant represents themselves to be a particular elector named in the copies of the registration records and not named in the postal voters list or list of proxies, and
- (b) another person has already voted in person either as that elector or as that elector's proxy.

(4) The second set of circumstances is where—

- (a) the applicant represents themselves to be a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy, and
- (b) another person has already voted in person either as that elector or as that elector's proxy.

Circumstances where applicant on postal voters list claims not to have applied for postal vote

(5) The third set of circumstances is where—

- (a) the applicant represents themselves to be a particular elector named in the copies of the registration records,
- (b) the applicant is also named in the postal voters list, and
- (c) the applicant claims not to have made an application to vote by post at the election.

(6) The fourth set of circumstances is where—

- (a) the applicant represents themselves to be a particular person named as a proxy in the list of proxies,
- (b) the applicant is also named in the proxy postal voters list, and
- (c) the applicant claims not to have made an application to vote by post as proxy at the election.

Circumstances where applicant claims to have lost postal ballot paper etc.

(7) The fifth set of circumstances is where—

- (a) after the last time at which a person may apply for a replacement postal ballot paper but before the close of the poll, the applicant represents themselves to be a particular elector named in the copies of the registration records who is also named in the postal voters list, and
- (b) the applicant claims to have lost or not to have received that person's postal ballot paper.

(8) The sixth set of circumstances is where—

- (a) after the last time at which a person may apply for a replacement postal ballot paper but before the close of the poll, the applicant represents themselves to be a particular person named as a proxy in the list of proxies who is also named in the proxy postal voters list, and
- (b) the applicant claims to have lost or not to have received that person's postal ballot paper.

(9) A ballot paper that is given to the presiding officer in accordance with this rule is referred to in these rules as a “tendered ballot paper”.

(10) Where an elector has an anonymous entry, the references in this rule to a person named in the copies of the registration records or a list are to be read as references to a person who has a number in the copies or list.

(11) In this rule, “the copies of the registration records” has the same meaning as in rule 44 (see paragraph (8) of that rule).

Tendered ballot papers: duties of presiding officer

51.—(1) This rule sets out the duties of the presiding officer in relation to tendered ballot papers.

(2) The presiding officer must endorse the following information on the ballot paper—

- (a) the name of the voter, and
- (b) the voter's number in the copies of the registration records or, if the voter is voting as proxy for an elector, the number of the elector.

(3) The presiding officer must put the ballot paper in a separate packet.

(4) The following information must be entered on a list (the “tendered votes list”)—

- (a) the name of the voter, and
- (b) the voter's number in the copies of the registration records or, if the voter is voting as proxy for an elector, the number of the elector.

(5) Where an elector has an anonymous entry, the presiding officer must not include the name of the voter on the ballot paper or in the tendered votes list.

(6) In this rule, “the copies of the registration records” has the same meaning as in rule 44 (see paragraph (8) of that rule).

Spoilt ballot papers

52.—(1) This rule applies where a voter has inadvertently dealt with their ballot paper in such a manner that it cannot conveniently be used as a ballot paper.

(2) The voter may obtain another ballot paper by—

- (a) giving the ballot paper that was inadvertently dealt with (the “spoilt ballot paper”) to the presiding officer, and
- (b) proving to the presiding officer's satisfaction that it was dealt with inadvertently.

(3) Where the voter is given another ballot paper, the spoilt ballot paper must be cancelled immediately.

Correction of errors on the day of poll

53. The presiding officer must keep a list of persons to whom ballot papers are given in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

Adjournment of poll in case of riot

54.—(1) This rule applies where proceedings at any polling station are interrupted or obstructed by riot or open violence.

(2) The presiding officer must—

- (a) adjourn the proceedings until the following day, and
- (b) immediately inform the returning officer.

(3) Where the poll is adjourned at a polling station—

- (a) the hours of polling on the day to which it is adjourned must be the same as for the original day, and
- (b) references in these rules to the close of the poll are to be read as references to the end of the hours of polling on the day to which it is adjourned.

Procedure on close of poll

55.—(1) This rule sets out the steps that must be taken by the presiding officer as soon as practicable after every voter has cast their vote.

(2) In the presence of any polling agents who are in the polling station, the presiding officer must—

- (a) seal each ballot box in use at the polling station so as to prevent the introduction of additional ballot papers, using the presiding officer's seal and the seals of any polling agents who wish to affix their seals, and
- (b) attach any ballot box key to the ballot box.

(3) The presiding officer must place each of the following in separate packets, sealed using the presiding officer's seal and the seals of any polling agents who wish to affix their seal—

- (a) the unused and spoilt ballot papers, together;
- (b) the tendered ballot papers;
- (c) the marked copies of the registration records and list of proxies, together;
- (d) the polling station's corresponding number list, as marked (see rule 46(2)(c));
- (e) any certificates surrendered under rule 41(5) or (6) (surrender of certificates issued to constables or staff of returning officers);

(f) the following lists and declarations, together—

- (i) the list of votes marked by the presiding officer, together with a statement of the number of voters whose votes were marked because they were disabled or unable to read (see rule 47);
- (ii) the declarations made by the companions of voters with disabilities (see rule 48);
- (iii) the list of voters with disabilities assisted by companions (see rule 49);
- (iv) the tendered votes list (see rule 51);
- (v) the list maintained under rule 53 (correction of errors on day of poll);
- (g) the postal ballot papers and postal voting statements which have been returned by hand to the polling station (unless previously collected in accordance with paragraph 19(3) of Schedule 2).

(4) The presiding officer must do anything required by paragraph (3)(a), (b), (e), (f) or (g) in the polling station, in the presence of any polling agents who are there.

(5) The presiding officer may do anything required by paragraph (3)(c) or (d)—

- (a) in the polling station, in the presence of any polling agents who are there, or
- (b) if the presiding officer has informed the polling agents and given them an opportunity to attend, at any other place that the presiding officer considers appropriate, in the presence of any polling agents who are there.

(6) Documents sealed in accordance with paragraphs (3)(c) and (d) and (5) may be sealed in physical packets or electronic packets, and seals that are applied to those packets may be applied physically or electronically, as appropriate.

(7) The presiding officer must deliver the sealed ballot boxes and packets to the returning officer or cause them to be delivered in accordance with the security and access arrangements approved by the returning officer.

(8) The packets must be accompanied by a statement (“a ballot paper account”) prepared by the presiding officer showing—

- (a) the number of ballot papers given to the presiding officer, and
- (b) how the ballot papers are accounted for under the following headings—
 - (i) the number of ballot papers issued and not otherwise accounted for;
 - (ii) the number of ballot papers unused;

- (iii) the number of spoiled ballot papers;
- (iv) the number of tendered ballot papers.

(9) In this rule, “the marked copies of the registration records” means the copies of the registration records, as defined by rule 44(8), as marked in accordance with these rules.

Counting of Votes

Arrangements for the counting of votes

56.—(1) The returning officer must make arrangements for the votes to be counted in the presence of the counting agents as soon as practicable after the close of the poll.

(2) The returning officer must give the counting agents a notice stating the time and place at which the returning officer will begin to count the votes.

Attendance at the counting of votes

57.—(1) The following persons are entitled to be present at the counting of votes—

- (a) the returning officer and members of the returning officer's staff;
- (b) each individual and party list candidate and a guest of each candidate;
- (c) the election agents;
- (d) the counting agents;
- (e) any person who is entitled to attend by virtue of sections 6A to 6D of the 2000 Political Parties Act (representatives of the Electoral Commission and accredited observers);
- (f) the constables on duty.

(2) The returning officer may permit any other person to attend at the counting of votes.

(3) Permission may not be given under paragraph (2) unless the returning officer—

- (a) is satisfied that the person's attendance will not impede the efficient counting of votes, and
- (b) has either consulted the election agents about whether to give permission or decided that it is not practicable to consult them.

(4) The returning officer must give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information about them, as the returning officer is able to give consistently with the orderly conduct of the proceedings and the discharge of the returning officer's duties.

(5) In particular, where the votes are counted by sorting the ballot papers according to—

- (a) an individual candidate for whom a vote is given, or
- (b) a registered political party for which a vote is given,

and then counting the number of ballot papers for each such candidate or party, the counting agents are entitled to satisfy themselves that the ballot papers are correctly sorted.

(6) The returning officer must make arrangements to ensure that every person attending at the counting of votes (other than the constables on duty) has been given a notice setting out the provisions of section 66(2) and (6) of the 1983 Act⁽¹⁾ (requirement of secrecy).

(7) In this rule, a reference to a constable includes a reference to a person designated as a community support officer or community support volunteer under section 38 of the Police Reform Act 2002 (police powers for civilian staff and volunteers).

The count: steps

58.—(1) The returning officer must take the following steps.

(2) The returning officer must, in the presence of the counting agents, open each ballot box, take out the ballot papers, count them and record the number of ballot papers.

(3) The returning officer must not count any tendered ballot papers.

(4) The returning officer must, in the presence of the election agents, verify each ballot paper account by comparing it with the number of ballot papers recorded, the unused and spoilt ballot papers in the returning officer's possession and the tendered votes list, opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list.

(5) The returning officer must prepare a statement as to the result of the verification and give a copy of the statement to any election agent who requests it.

(6) The returning officer must also—

- (a) count the postal ballot papers that have been properly returned (see paragraph (7)), and
- (b) record the number counted.

(7) A postal ballot paper is to be treated as properly returned if the ballot paper and the accompanying postal voting statement properly completed are—

(1) Section 66(2)(a) was amended by paragraph 86 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), and section 66(6) was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c. 50).

- (a) handed in at a polling station before the close of the poll,
 - (b) given by hand to the returning officer before the close of the poll, or
 - (c) received by the returning officer by post before the close of the poll.
- (8) A postal voting statement is properly completed if—
- (a) it is signed by the elector or the proxy, unless the registration officer has dispensed with the requirement for a signature,
 - (b) it states the date of birth of the elector or the proxy, and
 - (c) in a case where the returning officer is required to take steps to verify the date of birth and signature of an elector or proxy in accordance with paragraph 23 of Schedule 2, the returning officer has taken those steps and verified the date of birth and, except in a case where the requirement for a signature has been dispensed with, the signature.
- (9) Where, at the close of the poll, a person is in the polling station, or in a queue outside the polling station, for the purpose of handing in a postal ballot paper and postal voting statement—
- (a) the person must be permitted to hand the ballot paper and statement in at the polling station, and
 - (b) where handed in, they are to be treated as having been handed in before the close of the poll for the purposes of this rule.
- (10) The returning officer must not count the votes given on any ballot paper until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (11) While counting and recording the number of ballot papers and counting the votes, the returning officer must—
- (a) keep the ballot papers with their faces upwards, and
 - (b) take such other precautions as are appropriate for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.

The count: general

59.—(1) Subject to paragraph (2), the returning officer must, so far as practicable, proceed continuously with the counting of votes, allowing only time for refreshment.

(2) The returning officer may agree with the counting agents appointed for the purposes of the election to exclude any or all of the hours between 7.00 p.m. and 9.00 a.m. the following day.

(3) For the purposes of the exception in paragraph (2), the agreement of—

- (a) an individual candidate or the candidate's election agent, or
- (b) the election agent for a registered political party standing nominated,

will be as effective as the agreement of the candidate's or party's counting agents.

(4) During any time that is excluded, the returning officer must—

- (a) place the ballot papers and other documents relating to the election under the returning officer's seal and the seals of any counting agents who wish to affix their seals, and
- (b) otherwise take proper precautions for the security of the ballot papers and other documents.

The count: rejected ballot papers

60.—(1) Subject to paragraphs (2) to (4), the following ballot papers are void and must not be counted—

- (a) a ballot paper that does not bear the official mark;
- (b) a ballot paper on which more than one vote is given;
- (c) a ballot paper on which anything is written or marked by which the voter can be identified except the printed number and other unique identifying mark on the back;
- (d) a ballot paper that is unmarked or void for uncertainty.

(2) Paragraphs (3) and (4) apply to a ballot paper on which a vote is marked—

- (a) elsewhere than in the proper place,
- (b) otherwise than by means of a cross, or
- (c) by more than one mark.

(3) The ballot paper is not, by reason only of how the vote is marked, to be treated as void, either wholly or as respects that vote, if—

- (a) it is clear from the ballot paper that the voter intended to vote for one or other of the candidates,
- (b) the way the ballot paper is marked does not itself identify the voter, and
- (c) the returning officer is satisfied that the voter cannot be identified from the ballot paper.

(4) A ballot paper on which a vote is marked for a particular party list candidate on the party list of a registered political party is, if otherwise valid, to be treated as a vote for that party, whether or not there is also a vote marked for that party.

(5) The returning officer must endorse the word “gwrthodwyd” or the word “rejected” or both, on any ballot paper which, in accordance with this rule, is not to be counted.

(6) If a counting agent objects to the returning officer's decision, the returning officer must add the words “gwrthwynebwyd y gwrthodiad” or the words “rejection objected to” or both, to the endorsement.

(7) The returning officer must prepare a statement showing the number of ballot papers rejected.

(8) The statement must set out the number rejected under each of the headings in paragraph (1).

Re-count

61.—(1) If present when the count is completed, the following persons may request that the returning officer re-count the votes—

- (a) an individual candidate, or the candidate's election agent,
- (b) a party list candidate or an election agent for the registered political party standing nominated, or
- (c) subject to paragraph (4), a counting agent for an individual candidate or a registered political party standing nominated.

(2) The returning officer must comply with the request unless the returning officer's opinion is that the request is unreasonable.

(3) No step may be taken on the completion of the count until the candidates, election agents and counting agents who are present have been given a reasonable opportunity to request that the votes are re-counted.

(4) Where no candidate or election agent is present on the completion of the counting or re-count of votes, subject to paragraph (5), the right conferred on that person by this rule may be exercised by a counting agent referred to in paragraph (1)(c) present providing the terms of appointment of the counting agent authorise that agent to exercise this right.

(5) Not more than one counting agent for the same individual candidate or registered political party standing nominated may be appointed for the purposes of this rule in relation to the same Senedd constituency.

(6) Where a re-count takes place, this rule also applies in relation to the re-count so that, for example, a candidate or an election agent may, if present when the re-count is completed, request that the returning officer re-count the votes.

Decision on ballot papers

62. The decision of the returning officer on any question arising in respect of a ballot paper is final, but may be reviewed on a Senedd election petition.

PART 4

Final proceedings in contested and uncontested elections

Ascertainment of results at a contested election

63.—(1) At a contested election, the returning officer must ascertain the results of the poll in accordance with sections 8 and 9 of the 2006 Act.

(2) The returning officer must give notice in writing to the election agents of the place and time at which the returning officer will begin to ascertain the results of the poll, together with such other information as the returning officer considers appropriate.

(3) Unless permitted by the returning officer to attend, only the following persons may be present at the proceedings on the ascertainment of the results—

- (a) the returning officer and members of the returning officer's staff,
- (b) each individual candidate and party list candidate and one other person chosen by each of them,
- (c) the election agents, and
- (d) any person who is entitled to attend by virtue of sections 6A to 6D of the 2000 Political Parties Act (representatives of the Electoral Commission and accredited observers).

(4) Permission may not be given under paragraph (3) unless the returning officer—

- (a) is satisfied that the person's attendance will not impede the efficient ascertainment of the results, and
- (b) has either consulted the election agents about whether to give permission or decided that it is not practicable to consult them.

(5) The returning officer must give the election agents and candidates all such reasonable facilities for overseeing the proceedings, and all such information about them, including for satisfying themselves that the ascertainment of the result the returning officer is required to make is accurate, as the returning officer is able to give consistently with the orderly conduct of the proceedings and the discharge of the returning officer's duties.

(6) The returning officer must provisionally ascertain the results of the poll and notify that provisional ascertainment to the following persons, if present—

- (a) an individual candidate or the candidate's election agent, and
- (b) the election agent for a registered political party standing nominated or, in absence of the agent, one of the candidates on the list submitted by that party.

(7) A person to whom notification is given under paragraph (6) may require the returning officer to ascertain provisionally those results again, but the returning officer may refuse to do so if in the opinion of the returning officer the request is unreasonable.

(8) No step may be taken to complete the ascertainment of the result until the persons notified under paragraph (6) have been given a reasonable opportunity to exercise the right conferred under paragraph (7).

(9) Where the returning officer has provisionally ascertained the results again under paragraph (7), paragraphs (6) to (8) and this paragraph apply to the further provisional ascertainment.

(10) If in ascertaining the results of the poll the returning officer is required to draw lots (see section 9(9) of the 2006 Act), the returning officer must allocate the seat to the individual candidate or party on whom the lot falls.

(11) The returning officer is deemed to have completed ascertaining the results of the poll when, following a provisional ascertainment—

- (a) there is no request made under paragraph (7) for the returning officer to make a further provisional ascertainment, or
- (b) if there is such a request, the returning officer refuses to make a further provisional ascertainment.

Declaration of result

64.—(1) After the returning officer has ascertained the results of the poll, the returning officer must immediately—

- (a) announce, in Welsh and English, the individual candidates or the registered political parties to whom seats have been allocated, together with the names of the party list candidates who are to fill such seats;
- (b) declare, in Welsh and English, those individual or party list candidates to have been elected.

(2) The returning officer must give notice to the Clerk in accordance with paragraph (6) stating the names of the candidates elected, and in respect of any party list candidate, the name of the registered political party for which they were such a candidate.

(3) At an uncontested constituency election, the statement of parties and persons nominated, in addition to showing the registered political parties and other persons standing nominated, must also—

- (a) set out the individual candidates or the registered political parties to whom seats have been allocated, together with the names of the party list candidates who are to fill such seats, and
- (b) declare those individual or party list candidates to have been elected and returned,

and the returning officer must immediately return the names of those persons to the Clerk (and, in respect of any party list candidate, the name of the registered political party for which they were such a candidate) in accordance with paragraph (6).

(4) At a contested and uncontested constituency election, the returning officer must also publish notice, in Welsh and English, of—

- (a) the name of any individual candidates elected,
- (b) the name of any party list candidates elected, together with the name of the registered political party for which they were such a candidate,
- (c) the total number of votes given for each individual candidate or registered political party,
- (d) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers (see rule 60(7)), and
- (e) in respect of the number of votes referred to in sub-paragraph (c), a breakdown of the number of votes given for each such candidate or party in each constituency.

(5) For the purposes of paragraphs (1) and (4), where the statement of parties and persons nominated shows a candidate's commonly used forenames or surnames, the returning officer may use those commonly used forenames or surnames to make the announcement, and give notice, of the election results.

(6) For the purposes of paragraphs (2) and (3), the returning officer must return the names required to be returned by—

- (a) completing a certificate in form 22 set out in Welsh and English in Schedule 10, and
- (b) delivering the certificate, or causing it to be delivered, to the Clerk.

Return or forfeiture of deposit

65.—(1) The deposit made under rule 11 is to be—

- (a) in the case of an individual candidate, returned to the person making it, or to that person's personal representatives,
- (b) in the case of a registered political party, returned to the registered nominating officer of the party which submitted the party list to which the deposit relates, or
- (c) forfeited (see paragraph (5)).

(2) Except in the cases set out in paragraph (4), the deposit must be returned not later than the next day after that on which the result or results of the elections is or are declared.

(3) For the purposes of paragraph (2)—

- (a) any day that is an excluded day must be disregarded, and
- (b) the deposit will be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.

(4) Where—

- (a) an individual candidate or a registered political party is not shown as standing nominated in the statement required by rule 17(1), or
- (b) the poll is countermanded or abandoned by reason of an individual candidate's death,

the deposit must be returned as soon as practicable after the publication of that statement or the time when the returning officer is satisfied of the candidate's death.

(5) Subject to paragraph (4)—

- (a) an individual candidate's deposit will be forfeited if, after the poll is taken and after the counting of the votes, including any re-count, is completed, that candidate is found to have polled less than five per cent of the total number of votes polled in the constituency in which the candidate stood nominated;
- (b) a registered political party's deposit will be forfeited in respect of a constituency in which the party stood nominated if, after the poll is taken and after the counting of the votes,

including any re-count, is completed, the party is found to have polled less than five per cent of the total number of votes polled in that constituency.

PART 5

Disposal of documents

Sealing up of ballot papers at contested elections

66.—(1) This rule applies on the completion of the counting of votes at a contested election.

(2) The returning officer must seal up in separate packets—

- (a) the counted ballot papers, and
- (b) the rejected ballot papers.

(3) The returning officer must not open, or permit access to, any packets sealed under rule 55(3) that contain—

- (a) tendered ballot papers,
- (b) marked copies of the corresponding number lists,
- (c) certificates surrendered by constables or staff of returning officers under rule 41(5) or (6), or
- (d) marked copies of the registration records and list of proxies.

Delivery of documents to registration officer at contested elections

67.—(1) This rule applies where the returning officer has sealed up the counted and rejected ballot papers under rule 66(2).

(2) The returning officer must securely forward the following documents to the relevant registration officer—

- (a) the packets of ballot papers in the returning officer's possession;
- (b) the ballot paper accounts prepared under rule 55(8);
- (c) the statements of rejected ballot papers prepared under rule 60(7);
- (d) the statements as to the result of the verification of the ballot paper accounts prepared under rule 58(5);
- (e) the following lists and declarations—
 - (i) the lists of votes marked by the presiding officer, together with a statement of the number of voters whose votes were

- marked because they were disabled or unable to read (see rule 47);
 - (ii) the declarations made by the companions of voters with disabilities (see rule 48);
 - (iii) the lists of voters with disabilities assisted by companions (see rule 49);
 - (iv) the tendered votes lists (see rule 51);
 - (v) the lists maintained under rule 53 (correction of errors on day of poll);
 - (f) the packets containing marked copies of the corresponding number lists;
 - (g) the packets containing certificates surrendered by constables or staff of returning officers under rule 41(5) or (6);
 - (h) the packets containing copies of registration records and lists of proxies;
 - (i) the packets containing the postal voters list and the proxy postal voters list.
- (3) In relation to each packet, the returning officer must provide—
- (a) a description of the contents of the packet,
 - (b) the date of election to which the packet relates, and
 - (c) the name of the Senedd constituency for which the election was held.
- (4) The relevant registration officer must make arrangements to—
- (a) securely store all documents received in accordance with this rule, and
 - (b) prevent any unauthorised access to those documents.

Production etc. of documents

68.—(1) This rule applies in relation to the following documents when in the custody or control of the relevant registration officer, having been forwarded under rule 67—

- (a) rejected and counted ballot papers;
- (b) sealed packets containing marked copies of the corresponding number lists;
- (c) sealed packets containing certificates surrendered by constables or staff of returning officers under rule 41(5) or (6).

(2) The High Court or a county court may make any of the following orders, if satisfied by evidence on oath that the order is required either for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers or for the purpose of a Senedd election petition—

- (a) an order for the inspection or production of any of the rejected ballot papers;
- (b) an order for the inspection of any of the counted ballot papers;
- (c) an order for the opening of any of the sealed packets containing—
 - (i) marked copies of the corresponding number lists, or
 - (ii) certificates surrendered by constables or staff of returning officers under rule 41(5) or (6);
- (d) where an order for the opening of any of the sealed packets is made under sub-paragraph (c), an order for the inspection or production of the whole or part of its contents.

(3) An election court may make—

- (a) an order for the inspection of any of the counted ballot papers;
- (b) an order for the opening of any of the sealed packets containing—
 - (i) marked copies of the corresponding number lists, or
 - (ii) certificates surrendered by constables or staff of returning officers under rule 41(5) or (6);
- (c) where an order for the opening of any of the sealed packets is made under sub-paragraph (b), an order for the inspection or production of the whole or part of its contents.

(4) An order under this rule may be made subject to such of the following conditions as the court thinks appropriate—

- (a) conditions as to persons;
- (b) conditions as to time;
- (c) conditions as to the place and method of inspection;
- (d) conditions as to production or opening.

(5) A court, in making an order under this rule for the inspection of counted ballot papers or for the opening of a sealed packet, must impose such conditions under paragraph (4) as the court considers appropriate to ensure that the way in which an elector has given their vote is not disclosed unless and until it has been proved—

- (a) that the elector has given their vote, and
- (b) that the vote has been declared by a competent court to be invalid.

(6) Any person giving effect to an order under this rule for the inspection of counted ballot papers or for the opening of a sealed packet must take care to ensure

that the way in which an elector has given their vote is not disclosed unless and until it has been proved—

- (a) that the elector has given their vote, and
- (b) that the vote has been declared by a competent court to be invalid.

(7) An appeal lies to the High Court from an order of a county court under this rule.

(8) The powers of the High Court or a county court under this rule may be exercised by any judge of the court otherwise than in open court.

(9) Except as provided by this rule, no person may—

- (a) inspect any of the rejected or counted ballot papers, or
- (b) open any of the sealed packets containing—
 - (i) marked copies of the corresponding number lists, or
 - (ii) certificates surrendered by constables or staff of returning officers under rule 41(5) or (6).

Orders for the production of documents: supplemental provisions

69.—(1) Paragraphs (2) and (3) apply where an order is made under rule 68 for the production by a relevant registration officer of a document, in paper or electronic format, in the registration officer's custody or control relating to an election specified in the order.

(2) The production by the relevant registration officer or the registration officer's agent of the document in the manner directed by the order is conclusive evidence that the document relates to the specified election.

(3) If a packet of ballot papers with an endorsement on the packet is produced by the relevant registration officer or the registration officer's agent to comply with the order, the endorsement is *prima facie* evidence that the ballot papers are what they are stated to be by the endorsement.

(4) Paragraph (5) applies where, to comply with an order under rule 68, a relevant registration officer or a registration officer's agent has produced—

- (a) a ballot paper purporting to have been used at an election, and
- (b) a marked copy of a corresponding number list in use at the election, with a number marked in writing beside the number of that ballot paper on the list.

(5) The production of the ballot paper and the list are *prima facie* evidence that the elector whose vote was given by that ballot paper was the person whose entry at the time of the election in the register of electors, or

on a notice issued under section 13B(3B) or (3D) of the 1983 Act, contained the same number as the number written on the ballot paper.

Retention and destruction of documents forwarded to relevant registration officer

70.—(1) The relevant registration officer must retain all documents forwarded under rule 67 for a period of one year beginning with the day on which they were received by the registration officer.

(2) At the end of that period of one year, the relevant registration officer must cause the documents to be destroyed unless otherwise directed by an order of a county court, the High Court, the Crown Court, a magistrates' court or an election court.

(3) Notwithstanding the revocation of the National Assembly for Wales (Representation of the People) Order 2007(1), rule 69 of Schedule 5 to that Order continues to have effect in relation to documents forwarded to the relevant registration officer in accordance with that Schedule and to which rule 69 applied.

Destruction of home address forms by returning officer

71.—(1) The returning officer must destroy each candidate's home address form—

- (a) on the next day following the thirty-fifth day after the returning officer has returned the names of the members elected, unless a Senedd election petition questioning the election or the return of members is presented before that day;
- (b) if a Senedd election petition questioning the election or return of members is presented before that day, as soon as practicable following the conclusion of proceedings on the petition, including, where there is an appeal, the proceedings on the appeal.

(2) For the purpose of deciding the day on which candidates' home address forms must be destroyed, any day that is an excluded day must be disregarded.

(1) S.I. 2007/236.

PART 6

Death of candidate

Death of candidate

72.—(1) If at a contested election the returning officer is satisfied before the results of the election are declared that one of the persons named or to be named as a candidate on the ballot paper, whether an individual candidate or party list candidate, has died and as a result of that death the election becomes uncontested, the returning officer must—

- (a) countermand notice of the poll, or
- (b) if polling has begun, direct that the poll be abandoned.

(2) If at a contested election the returning officer is satisfied before the results of the election is declared that one of the persons named or to be named as a candidate on the ballot paper, whether as an individual candidate or a party list candidate, has died, but notwithstanding that death the election continues to be contested, the notice of poll is not to be countermanded nor is the poll to be abandoned, and the death is to have no effect on the validity of the election and the return of any other candidate at the election.

(3) But, where paragraph (2) applies, the returning officer must take such steps as the returning officer considers reasonable to publicise in the constituency for which the election is held—

- (a) the name of the candidate (“C”) and the fact of the C’s death,
- (b) whether C was an individual or party list candidate, and
- (c) if C was a party list candidate, the name of the registered political party for which C was such a candidate.

(4) In meeting the requirement to publicise the death of C in accordance with paragraph (3), the returning officer must consider, in particular, the placing of notices outside polling stations.

(5) In respect of an election to which paragraph (1) or (2) applies, the following provisions do not apply in relation to the deceased candidate—

- (a) rule 41(1)(c) and (d) (admission to polling station),
- (b) rule 57(1)(b) to (d) (attendance at count), and
- (c) rule 65(5) (forfeiture of deposit), in relation to an individual candidate only.

Abandoned poll

73.—(1) This rule applies to a poll which is abandoned in accordance with rule 72(1)(b) as if it were a poll at a contested election.

(2) The presiding officer at any polling station in use at the election must take the steps, so far as not already taken, that the presiding officers would be required to take under rule 55 on the close of poll, except that it is not necessary for the presiding officer to prepare a ballot paper account.

(3) No step or further step is to be taken for the counting of the ballot papers or of the votes.

(4) The returning officer must deal with ballot papers and other documents that are in the returning officer's possession when the poll is abandoned, or are subsequently delivered to the returning officer to comply with paragraph (2), in the same way that the returning officer would be required to deal with ballot papers and other documents under rules 66 and 67 on the completion of the counting of votes, except that—

- (a) the returning officer must seal up all the ballot papers, whether the votes on them have been counted or not, and
- (b) it is not necessary to seal up counted and rejected ballot papers in separate packets.

(5) The provisions of rules 68 to 70 apply to ballot papers and other documents relating to the poll that is abandoned by reason of a candidate's death, except that—

- (a) ballot papers on which the votes were neither counted nor rejected are to be treated as counted ballot papers, and
- (b) an order may be made under rule 68(2) and (3) only for the purposes of instituting or maintaining a prosecution for an offence in relation to ballot papers.

PART 7

Miscellaneous

Return of Senedd members and record of returns etc.

74.—(1) The Clerk must, on receipt of a certificate delivered under rule 64(6), enter the information contained in the certificate in a record kept for that purpose at the Senedd, in this rule referred to as “the returns record”.

(2) The returns record may be kept electronically.

(3) The returns record must be open to public inspection at reasonable times and any person may, on

payment of a reasonable fee, obtain copies from the record.

Vacancies

75.—(1) Where it comes to the notice of the Presiding Officer of the Senedd, referred to in this rule as “the Presiding Officer” that—

- (a) the seat of a Senedd member returned for a Senedd constituency is vacant, and
- (b) the person was returned as an individual candidate,

the Presiding Officer must record in the returns record that there is a vacancy in the Senedd constituency concerned which, in accordance with section 11(2) of the 2006 Act⁽¹⁾, is to remain vacant until the next Senedd general election.

(2) Other than when article 102 (election determined to be void by election court) applies, the Presiding Officer must take the steps in paragraph (3) where it comes to the notice of the Presiding Officer that—

- (a) the seat of a member returned for a Senedd constituency is vacant, and
- (b) the person was returned as a party list candidate.

(3) The Presiding Officer must record the vacancy in the returns record and send to the returning officer for the Senedd constituency in which the vacancy has arisen a notice—

- (a) stating that a vacancy exists, and
- (b) setting out the name of the person who had been returned to fill that seat, together with the name of the registered political party on whose list the person was included.

(4) After receiving a notice under paragraph (3), the returning officer must, without delay—

- (a) ascertain from the list submitted at the previous Senedd general election by the registered political party named in the notice, the name and address of the person whose name now appears highest on that list (“the prospective member”), and
- (b) take such steps as appear to be reasonable to the returning officer to—
 - (i) contact the prospective member (“P”) to ask whether P will state that P is willing to serve as a Senedd member for the constituency concerned, and

(1) Section 11(2) was substituted by section 9 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

- (ii) contact the registered nominating officer of the registered political party on whose list P is included, and notify that officer of the action the returning officer is taking under paragraph (i).

(5) When contacting P in accordance with paragraph (4)(b)(i), the returning officer must advise P of the date by which the returning officer must receive P's written response confirming whether P is willing to serve as a Senedd member for the constituency concerned, which must be 21 days after the day on which the returning officer contacts P.

(6) When contacting the registered nominating officer in accordance with paragraph (4)(b)(ii), the returning officer must inform the registered nominating officer of the date by which P has been advised to confirm that P is willing to serve as a Senedd member for the constituency concerned.

(7) P must be treated as ceasing to be included on a list for the purposes of filling a vacancy where—

- (a) the returning officer decides that the steps taken to contact P have been unsuccessful,
- (b) the returning officer has not received written confirmation from P that P is willing to serve as a member for the Senedd constituency concerned within the timeframe specified in accordance with paragraph (5),
- (c) P has stated in writing that P is not willing to so serve as a member for the Senedd constituency concerned, or
- (d) where both of the circumstances set out in paragraph (8) apply.

(8) The circumstances referred to in paragraph (7)(d) are that—

- (a) the returning officer is satisfied that P is not a member of the registered political party on whose list P is included, and
- (b) within the timeframe specified in accordance with paragraph (5), the returning officer receives notice signed by the registered nominating officer of that party that P's name is not to be notified to the Presiding Officer as the name of the person who is to fill the vacancy.

(9) Where, in accordance with paragraph (7), P is treated as ceasing to be included on a list for the purposes of filling a vacancy, the returning officer must without delay—

- (a) repeat the procedure required by paragraph (4) in respect of the person, if any, whose name and address appears next highest on that list, and paragraphs (5) to (8) and this

paragraph also apply with respect to that person, and

- (b) notify the Presiding Officer that P will not be filling the vacancy and that the procedure is to be repeated in respect of the person, if any, whose name and address appears next highest on that list.

(10) The returning officer must continue to repeat the procedure until the returning officer has notified the Presiding Officer of the name of the person who is to fill the vacancy or that the names on that list are exhausted.

(11) Subject to paragraph (7)(d) and (8), where, in response to the question from the returning officer under paragraph (4)(b)(i), including that paragraph as applied by paragraph (9)(a), P states in writing that they are willing to serve as a member for the Senedd constituency concerned, the returning officer must, unless paragraph (12) applies, without delay—

- (a) complete a certificate in form 23 set out in Welsh and English in Schedule 10, and
- (b) deliver it, or cause it to be delivered, to the Presiding Officer.

(12) Where, before the end of the timeframe prescribed in paragraph (5)—

- (a) P states in writing that P is willing to serve,
- (b) the circumstances in paragraph (8) do not apply, and
- (c) P advises the returning officer that P has made a successful application to register as a local government elector in Wales under section 10ZC of the 1983 Act⁽¹⁾, but the application will not have effect until after the timeframe prescribed in paragraph (5),

the returning officer must complete the steps required by paragraph (11) as soon as practical after P's application has effect.

(13) For the purposes of paragraph (12)(c), P must provide the returning officer with a copy of the notification provided to P confirming that P's application has been successful and the date on which the application has effect.

(14) The returning officer must, without delay, also give public notice of the name—

- (a) of the member to be returned, and
- (b) of the registered political party for which such a member was a party list candidate.

(1) Section 10ZC was inserted by section 1 of the Electoral Registration and Administration Act 2013 (c. 6), and was subsequently amended by section 7 of the Wales Act 2017 (c. 4).

(15) Where, following the application of this rule the seat continues to be vacant, the returning officer must, without delay—

- (a) give public notice that the vacancy cannot be filled and that the seat will remain vacant until the next Senedd general election by virtue of section 11(7) of the 2006 Act⁽¹⁾,
- (b) complete a certificate in form 24 set out in Welsh and English in Schedule 10, and
- (c) deliver it, or cause it to be delivered, to the Clerk.

(16) Where the Presiding Officer receives a certificate from a returning officer under paragraph (11), the Presiding Officer must record in the returns record—

- (a) the name of the person specified in a notice who is to fill the vacancy,
- (b) the name of the relevant Senedd constituency, and
- (c) the date on which the Presiding Officer received the notice.

(17) Where the Clerk receives a certificate from a returning officer under paragraph (15)(c), the Clerk must record in the returns record that there is a vacancy in the Senedd constituency concerned which, under section 11(7) of the 2006 Act is to remain vacant until the next Senedd general election.

(18) In this rule, “the returns record” means the record kept in accordance with rule 74(1).

Registered political parties

76.—(1) For the purposes of the application of these rules in relation to a Senedd election “registered political party” means a party which was registered under Part 2 of the 2000 Political Parties Act on the day (“the relevant day”) which is 2 days before the last day for the delivery of nomination papers at the election in accordance with the Table in rule 1(1).

(2) A registered political party is a qualifying party in relation to a Senedd constituency if the party was on the relevant day registered in respect of Wales in the Great Britain register maintained under that Part of that Act.

(3) For the purposes of paragraph (1), any day that is an excluded day must be disregarded.

(1) Section 11(7) was substituted by section 9 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).

Party's registered nominating officer: discharge of functions

77.—(1) A registered nominating officer for a registered political party may, in writing, appoint one or more persons to discharge all or any of the registered nominating officer's functions conferred or imposed by these rules.

(2) Where an appointment is made under paragraph (1), a copy of the document recording that appointment must be delivered to the returning officer.

(3) Where a returning officer does not receive a copy of the document required in accordance with paragraph (2), the returning officer is entitled to treat any function of the registered nominating officer purportedly exercised (or to be exercised) on the registered nominating officer's behalf by another person as not so exercised (or exercisable).

SCHEDULE 6 Article 43(4)

Control of donations to candidates

PART 1

General

Interpretation

1.—(1) This Schedule has effect for controlling donations to individual candidates at a Senedd election and in the following provisions of this Schedule, references to “candidate” are to be construed accordingly.

(2) For the purposes of this Schedule, except where the context requires otherwise—

“donation” (*“rhodd”*) is to be construed in accordance with paragraphs 2 to 4;

“market value” (*“gwerth marchnadol”*) in relation to any property, means the price which might reasonably be expected to be paid for the property on a sale on the open market;

“relevant donation” (*“rhodd berthnasol”*), in relation to a candidate at a Senedd election, means a donation to the candidate or the candidate's election agent for the purpose of meeting election expenses incurred by or on behalf of the candidate.

(3) In the definition of “relevant donation”, the reference to a donation “for the purpose of meeting election expenses incurred by or on behalf of the candidate” includes a reference to a donation for the purpose of securing that any such expenses are not so incurred, and a donation is to be taken to be a donation

for either of those purposes if, having regard to all the circumstances, it must reasonably be assumed to be such a donation.

(4) In relation to a donation received by a candidate at a Senedd election, references to a “permissible donor falling within section 54(2) of the 2000 Political Parties Act”(1) are to be read as if section 54(2) did not include a party registered in the Northern Ireland register maintained by the Electoral Commission under Part 2 of that Act.

Donations: general rules

2.—(1) “Donation”, in relation to a candidate at a Senedd election, means, subject to paragraph 4—

- (a) any gift to the candidate or the candidate’s election agent of money or other property;
- (b) any sponsorship provided in relation to a candidate, as defined by paragraph 3;
- (c) any money spent, otherwise than by the candidate, the candidate’s election agent or any sub-agent, in paying any election expenses incurred by or on behalf of the candidate;
- (d) any money lent to the candidate or the candidate’s election agent otherwise than on commercial terms;
- (e) the provision otherwise than on commercial terms of any property, services or facilities for the use or benefit of the candidate, including the services of any person.

(2) Where—

- (a) any money or other property is transferred to a candidate or the candidate’s election agent pursuant to any transaction or arrangement involving the provision by or on behalf of the candidate of any property, services or facilities or other consideration of monetary value, and
- (b) the total value in monetary terms of the consideration so provided by or on behalf of the candidate is less than the value of the money or the market value of the property transferred,

the transfer of the money or property will, subject to sub-paragraph (4), constitute a gift to the candidate or

(1) 2000 c. 41. Section 54(2) was amended by paragraph 76 of Schedule 4 to the Co-operative and Community Benefit Societies Act 2014 (c. 14); paragraph 37 of Schedule 1 to the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 (c. 16); S.I. 2009/1941; and S.I. 2018/1310.

the candidate's election agent for the purposes of sub-paragraph (1)(a).

(3) In determining—

- (a) for the purposes of sub-paragraph (1)(d), whether any money lent to a candidate or the candidate's election agent is lent otherwise than on commercial terms, or
- (b) for the purposes of sub-paragraph (1)(e), whether any property, services or facilities provided for the use or benefit of a candidate is or are provided otherwise than on commercial terms,

regard must be had to the total value in monetary terms of the consideration provided by or on behalf of the candidate in respect of the loan or the provision of the property, services or facilities.

(4) Where, apart from this sub-paragraph, anything would be a donation both by virtue of sub-paragraph (1)(b) and by virtue of any other provision of this paragraph, sub-paragraph (1)(b), together with paragraph 3, will apply in relation to it to the exclusion of the other provisions of this paragraph.

(5) The reference in sub-paragraph (1)(c) to money spent as mentioned in that provision is a reference to money spent by a person ("P"), other than the candidate, the candidate's election agent or any sub-agent, out of P's own resources, with no right to reimbursement out of the resources of any other person.

(6) Where, by virtue of sub-paragraph (1)(c), money spent in the manner provided for in paragraph (5) constitutes a donation to the candidate, the candidate is to be treated as receiving an equivalent amount on the date on which the money is paid to the creditor in respect of the expenses in question.

(7) In this paragraph—

- (a) any reference to anything being transferred or provided to a candidate or the candidate's election agent includes a reference to it being given or transferred either directly or indirectly through any third person, and
- (b) "gift" includes a bequest or any other form of testamentary disposition.

Sponsorship

3.—(1) For the purposes of this Schedule, sponsorship is provided in relation to a candidate if—

- (a) any money or other property is transferred to the candidate or to any person for the benefit of the candidate, and

- (b) the purpose, or one of the purposes of the transfer is, or must, having regard to all the circumstances, reasonably be assumed to be—
 - (i) to help the candidate with meeting, or to meet to any extent, any defined expenses incurred or to be incurred by or on behalf of the candidate, or
 - (ii) to secure that, to any extent, any such expenses are not so incurred.
- (2) In sub-paragraph (1)(b)(i), “defined expenses” means expenses in connection with—
- (a) any conference, meeting or other event organised by or on behalf of the candidate;
 - (b) the preparation, production or dissemination of any publication by or on behalf of the candidate;
 - (c) any study or research organised by or on behalf of the candidate.
- (3) The following do not constitute sponsorship by virtue of sub-paragraph (1)—
- (a) the making of any payment in respect of—
 - (i) any charge for admission to any conference, meeting or other event, or
 - (ii) the purchase price of, or any charge for access to, any publication, or
 - (b) the making of any payment in respect of the inclusion of an advertisement in any publication where the payment is made at the commercial rate payable for the inclusion of such an advertisement in any such publication.
- (4) In this paragraph “publication” means a publication made available in whatever form and by whatever means, whether or not to the public at large or any section of the public.

Payments etc. not to be regarded as donations

- 4.—(1) None of the following are to be regarded as a donation—
- (a) the provision of any facilities provided in pursuance of any right conferred on a candidate at an election by this Order;
 - (b) the provision by an individual of their own services which that individual provides voluntarily in their own time and free of charge;
 - (c) any interest accruing to a candidate or the candidate’s election agent in respect of any donation which is dealt with by the candidate or the candidate’s agent in accordance with

section 56(2)(a) or (b) of the 2000 Political Parties Act⁽¹⁾, as applied by paragraph 7.

(2) Any donation the value of which, determined in accordance with paragraph 5, is not more than £500 is also to be disregarded.

Value of donations

5.—(1) The value of any donation falling within paragraph 2(1)(a), other than money, is to be taken to be the market value of the property in question.

(2) But where paragraph 2(1)(a) applies by virtue of paragraph 2(2), the value of the donation is to be taken to be the difference between—

- (a) the value of the money, or the market value of the property, in question, and
- (b) the total value in monetary terms of the consideration provided by or on behalf of the candidate or the candidate's election agent.

(3) The value of any donation falling within paragraph 2(1)(b) is to be taken to be the value of the money, or the market value of the property, transferred as mentioned in paragraph 3(1), and accordingly any value in monetary terms of any benefit conferred on the person providing the sponsorship in question is to be disregarded.

(4) The value of any donation falling within paragraph 2(1)(d) or (e) is to be taken to be the amount representing the difference between—

- (a) the total value in monetary terms of the consideration that would have had to be provided by or on behalf of the candidate or the candidate's election agent in respect of the loan or the provision of the property, services or facilities if—
 - (i) the loan had been made, or
 - (ii) the property, services or facilities had been provided,on commercial terms, and
- (b) the total value in monetary terms of the consideration, if any, actually provided by or on behalf of the candidate or the candidate's election agent.

(5) Where a donation mentioned in sub-paragraph (4) confers an enduring benefit on the donee over a particular period, the value of the donation—

- (a) is to be determined at the time when it is made, but

(1) Amendments have been made to section 56 which are not relevant here.

- (b) is to be so determined by reference to the total benefit accruing to the donee over that period.

PART 2

Controls on donations

Prohibition on accepting donations from impermissible donors

6.—(1) A relevant donation received by a candidate or a candidate's election agent must not be accepted if—

- (a) the person by whom the donation would be made is not, at the time of its receipt by the candidate or the candidate's election agent, a permissible donor falling within section 54(2) of the 2000 Political Parties Act, or
- (b) the candidate or the candidate's election agent is unable to ascertain the identity of the person offering the donation, whether because the donation is given anonymously or by reason of any deception or concealment or otherwise.

(2) For the purposes of this Schedule, any relevant donation received by a candidate or the candidate's election agent which is an exempt trust donation is to be regarded as a relevant donation received by the candidate or the candidate's election agent from a permissible donor, and section 162 of the 2000 Political Parties Act⁽¹⁾ (interpretation: exempt trust donations) is to apply for the purposes of this Schedule as it applies for the purposes of that Act.

(3) But, for the purposes of this Schedule, any relevant donation received by a candidate or the candidate's election agent from a trustee of any property, in the trustee's capacity as such, is to be regarded as a relevant donation received by the candidate or the candidate's election agent from a person who is not a permissible donor, if that donation is not—

- (a) an exempt trust donation, or
- (b) a relevant donation transmitted by the trustee to the candidate or the candidate's election agent on behalf of beneficiaries under the trust who are—
 - (i) persons who, at the time of its receipt by the candidate or the candidate's election agent, are permissible donors falling

(1) Section 162 was amended by S.I. 2004/366 and S.I. 2018/1310.

within section 54(2) of the 2000 Political Parties Act, or

- (ii) the members of an unincorporated association which at that time is a permissible donor.

(4) Sub-paragraphs (5) and (6) apply where any person (“the principal donor”) causes an amount (“the principal donation”) to be received by a candidate or the candidate’s election agent by way of a relevant donation—

- (a) on behalf of the principal donor and one or more other persons, or
- (b) on behalf of two or more other persons.

(5) For the purposes of this Part, each individual contribution by a person falling within sub-paragraph (4)(a) or (b) of more than £50 is to be treated as if it were a separate donation received from that person.

(6) In relation to each separate donation, the principal donor must ensure that, at the time when the principal donation is received by the candidate or the candidate’s election agent, the candidate or the candidate’s election agent is given—

- (a) except in the case of a donation which the principal donor is treated as making, all the details in respect of the person treated as making the donation as are required by virtue of paragraph 11(c), and
- (b) in respect of all donations, all the details in respect of the donation as are required by virtue of paragraph 11(a).

(7) Sub-paragraph (8) applies where—

- (a) any person (“the agent”) causes an amount to be received by a candidate or the candidate’s election agent by way of a donation on behalf of another person (“the donor”), and
- (b) the amount of the donation is more than £50.

(8) The agent must ensure that, at the time when the donation is received by the candidate or the candidate’s election agent, the candidate or the candidate’s election agent is given all the details in respect of the donor as are required by virtue of paragraph 11(c).

(9) A person commits an offence if, without reasonable excuse, that person fails to comply with sub-paragraph (6) or (8).

(10) A person guilty of an offence under sub-paragraph (9) is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to a term of imprisonment not exceeding 6 months, or both;

- (b) on conviction on indictment, to a fine or to a term of imprisonment not exceeding one year, or both.

(11) In relation to an offence committed after the commencement of section 281(5) of the Criminal Justice Act 2003⁽¹⁾, the reference in sub-paragraph (10)(a) to 6 months must be taken to be a reference to 51 weeks.

Acceptance or return of donations

7.—(1) Sections 56 to 60 of the 2000 Political Parties Act⁽²⁾ are to apply for the purposes of this Schedule, as they apply in relation to a registered party and to a donation received by a registered party, in relation to—

- (a) a relevant donation received by a candidate or by a candidate's election agent, and
- (b) the candidate or the election agent.

(2) In the application of sections 56 to 60 of that Act in accordance with sub-paragraph (1)—

- (a) section 56(1) is to have effect as if the reference to the particulars relating to a donor which would be required to be included in a donation report by virtue of paragraph 2 of Schedule 6 to the 2000 Political Parties Act⁽³⁾, if the donation were a recordable donation within the meaning of that Schedule, were construed as a reference to the particulars which are required to be included in a return by virtue of paragraph 11(c);
- (b) section 56(3) and (3A) is to have effect as if the reference to the party were omitted and the reference to the treasurer of the party were construed as a reference to the candidate or the candidate's election agent;
- (c) section 56(4) is to have effect as if the reference to the treasurer of the party were construed as a reference to the candidate or the candidate's election agent.

Transfer of donations received by candidate to election agent

8.—(1) Sub-paragraph (2) applies in relation to any relevant donation received by a candidate after the deadline for appointing an election agent, unless the

(1) 2003 c. 44. Section 281 is yet to be commenced.

(2) Sections 56 to 60 were amended by section 12 of the Political Parties and Elections Act 2009 (c. 12); S.I. 2004/366; S.I. 2009/185 and S.I. 2018/1310.

(3) Paragraph 2 was amended by paragraph 26 of Schedule 1 to the Electoral Administration Act 2006 (c. 22); S.I. 2015/1982; and S.I. 2018/1310. There are other amendments to paragraph 2, but these are not relevant here.

candidate is, or is deemed to be, the candidate's own election agent at the time of receipt of the donation.

(2) On receipt of a donation of the type mentioned in sub-paragraph (1), the candidate must immediately deliver to the candidate's election agent—

- (a) the donation,
- (b) where paragraph 6(6) or (8) applies in relation to the donation, the information provided to the candidate in pursuance of that provision, and
- (c) any other information which the candidate holds about the donation and its donor which might reasonably be expected to assist the election agent in the discharge of any duties imposed on the election agent, in relation to the donation, under this Part or Part 3 of this Schedule.

(3) Where a donation is delivered to an election agent in accordance with sub-paragraph (2), the donation is to be treated for the purposes of paragraph 6(1) to (5) and the provisions applied by paragraph 7 as if it had been—

- (a) originally received by the election agent, and
- (b) so received by the election agent on the date on which it was received by the candidate.

(4) Where a candidate receives a relevant donation before the deadline for appointing an election agent, but at a time when an appointment of a person other than the candidate as election agent is in force, the candidate must either—

- (a) immediately deliver the donation and the information mentioned in sub-paragraph (2)(b) and (c) to the agent, or
- (b) if the candidate fails to do so, deal with the donation in accordance with section 56 of the 2000 Political Parties Act (acceptance or return of donations).

(5) Sub-paragraph (3) is to have effect in relation to any relevant donation delivered to an election agent in accordance with sub-paragraph (4)(a), as it has effect in relation to a donation delivered to the agent in accordance with sub-paragraph (2).

(6) Sub-paragraph (7) applies where—

- (a) a relevant donation received by a candidate before the deadline for appointing an election agent has been dealt with by the candidate in accordance with section 56 of the 2000 Political Parties Act either because—
 - (i) it was received by the candidate at a time when no appointment of another person as the candidate's election agent was in force, or

- (ii) although such an appointment was in force, the candidate was by virtue of sub-paragraph (4)(b) required to deal with the donation, and
 - (b) an appointment of a person other than the candidate as election agent is in force at, or at any time after—
 - (i) the deadline for appointing an election agent, or
 - (ii) if later, the time when the candidate has dealt with the donation in accordance with section 56 of the 2000 Political Parties Act.
- (7) Subject to sub-paragraph (9), the candidate must, as soon as reasonably practicable after the relevant time, deliver to the election agent—
- (a) the donation, if it has been accepted by the candidate, and
 - (b) any information which the candidate has about the donation and the donor which might reasonably be expected to assist the election agent in the discharge of any duties imposed on the election agent, in relation to the donation, under Part 3 of this Schedule.
- (8) The relevant time for the purposes of sub-paragraph (7) is—
- (a) the time mentioned in sub-paragraph (6)(b)(i) or (ii) if the appointment of another person as election agent is in force at that time, or
 - (b) otherwise, the time when any such appointment subsequently comes into force.
- (9) The duty imposed on a candidate by sub-paragraph (7)(a) does not apply to any relevant donation to the extent to which it has been lawfully used by the candidate for the purpose of paying election expenses.
- (10) In this paragraph—
- (a) any reference to the deadline for appointing an election agent is a reference to the latest time by which an election agent may in accordance with article 39 (appointment of election agent) be named as election agent by the candidate;
 - (b) any reference to any provision of section 56 of the 2000 Political Parties Act 2000 is a reference to that provision as applied by paragraph 7.

Evasion of restrictions on donations

9. Section 61 of the 2000 Political Parties Act (offences concerned with evasion of restrictions on

donations) applies for the purposes of this Schedule as if—

- (a) any reference to donations were to relevant donations;
- (b) any reference to a registered party were, in relation to a relevant donation, a reference to a candidate or the candidate's election agent;
- (c) any reference in subsection (2) to the treasurer of a registered party were, in relation to a relevant donation, a reference to either the candidate or the candidate's election agent, or both.

PART 3

Reporting of donations

Statement of relevant donations

10.—(1) The candidate's election agent must include in any return to be delivered under article 54, a statement of relevant donations (“the statement”) which complies with paragraphs 11 and 12.

(2) If the statement states that the election agent has seen, in relation to an individual donor, a certificate of anonymous registration, the statement must be accompanied by a copy of that certificate.

(3) For the purpose of sub-paragraph (2), “certificate of anonymous registration” means a certificate issued in pursuance of regulation 45G of the 2001 Regulations⁽¹⁾.

Donations from permissible donors

11. The statement must record, in relation to each relevant donation accepted by the candidate or the candidate's election agent—

- (a) the amount of the donation, if a donation of money, in cash or otherwise, or in any other case, the nature of the donation and its value as determined in accordance with paragraph 5;
- (b) the date when the donation was accepted by the candidate or the candidate's election agent;
- (c) the information about the donor which is, in connection with recordable donations to registered political parties, required to be recorded in donation reports by virtue of

(1) Regulation 45G was inserted by regulation 18 of S.I. 2006/2910.

paragraph 2 of Schedule 6 to the 2000 Political Parties Act;

- (d) any other information as may be required by regulations made by the Electoral Commission.

Donations from impermissible donors

12.—(1) This paragraph applies to relevant donations falling within paragraph 6(1)(a) or (b).

(2) Where paragraph 6(1)(a) applies, the statement must record—

- (a) the name and address of the donor,
- (b) the amount of the donation, if a donation of money, in cash or otherwise, or in any other case, the nature of the donation and its value as determined in accordance with paragraph 5,
- (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(a) of the 2000 Political Parties Act, and
- (d) any other information as may be required by regulations made by the Electoral Commission.

(3) Where paragraph 6(1)(b) applies, the statement must record—

- (a) details of the manner in which the donation was made,
- (b) the amount of the donation, if a donation of money, in cash or otherwise, or in any other case, the nature of the donation and its value as determined in accordance with paragraph 5,
- (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(b) of the 2000 Political Parties Act, and
- (d) any other information as may be required by regulations made by the Electoral Commission.

(4) In this paragraph any reference to any provision of section 56 of the 2000 Political Parties Act is a reference to that provision as applied by paragraph 7.

SCHEDULE 7 Article 65(5)

Election expenses

PART 1

List of matters

1. Advertising of any nature, whatever the medium used, including expenses in respect of agency fees, design costs and other costs in connection with preparing, producing, distributing or otherwise disseminating such advertising or anything incorporating such advertising and intended to be distributed for the purpose of disseminating it.

2. Unsolicited material addressed to electors, whether addressed to them by name or intended for delivery to households within any particular area, including expenses in respect of design costs and other costs in connection with preparing, producing or distributing such material, including the cost of postage.

3. Transport, by any means, of persons to any place, including expenses in respect of the costs of hiring a means of transport for a particular period.

4. Public meetings, of any kind, including expenses in respect of costs incurred in connection with the attendance of persons at those meetings, the hire of premises for the purposes of those meetings or the provision of goods, services or facilities at them.

5. The services of an election agent or any other person whose services are engaged in connection with the candidate's election.

6. Accommodation and administrative costs.

PART 2

General exclusions

7. The payment of any deposit required by rule 11 of Schedule 5.

8. The publication of any matter, other than an advertisement, relating to the election in—

- (a) a newspaper or periodical,
- (b) a broadcast made by the British Broadcasting Corporation or by Sianel Pedwar Cymru, or
- (c) a programme included in any service licensed under Part 1 or 3 of the Broadcasting Act 1990 (independent television and radio services) or Part 1 or 2 of the Broadcasting

Act 1996 (digital terrestrial television and sound broadcasting).

9. The provision of any facilities provided in pursuance of any right conferred on candidates at an election by this Order other than facilities in respect of which expenses fall to be defrayed by virtue of article 71(6) (rooms used for Senedd election meetings).

10. The provision by an individual of their own services which that individual provides voluntarily in their own time and free of charge.

11. Accommodation which is the candidate's sole or main residence.

12. The provision by any other individual of accommodation which is that individual's sole or main residence if the provision is made free of charge.

13. Transport by a means of transport which was acquired by the candidate principally for the candidate's own personal use.

14. Transport provided free of charge by any other individual if the means of transport was acquired by that individual principally for the individual's own personal use.

15. Computing or printing equipment which was acquired by the candidate principally for the candidate's own personal use.

16. The provision by any other individual of computing or printing equipment which was acquired by that individual principally for the individual's own personal use if the provision is made free of charge.

17.—(1) Any matter that is reasonably attributable to the candidate's disability, to the extent that the expenses in respect of the matter are reasonably incurred.

(2) In this paragraph, "disability" has the same meaning as in section 6 of the Equality Act 2010(1).

18. Expenses incurred in respect of, or in consequence of, the translation of anything from Welsh into English or from English into Welsh.

19. The protection of persons or property, to the extent that the expenses are reasonably incurred and are reasonably attributable to the protection of persons or property.

(1) 2010 c. 15.

PART 3

Supplemental

Guidance by the Electoral Commission

20.—(1) The Electoral Commission may prepare, and from time to time revise, a code of practice for Senedd elections giving—

- (a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;
- (b) guidance supplementing the definition in article 37(1) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate's election;
- (c) guidance relating to the application of Part 3 of this Order in relation to expenses incurred for the purposes of a candidate's election, whether or not election expenses.

(2) Once the Electoral Commission has prepared a draft code under this paragraph, it must submit it to the Welsh Ministers for approval.

(3) The Welsh Ministers may approve a draft code with or without modifications.

(4) Once the Welsh Ministers have approved a draft code, they must lay a copy in the form in which they have approved the draft code, before the Senedd.

(5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before the Senedd a statement of their reasons for making those modifications.

(6) If, within the 40-day period, the Senedd resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.

(7) If no such resolution is made within the 40-day period—

- (a) the Welsh Ministers must issue the code in the form of the draft laid before the Senedd,
- (b) the code comes into force on the date appointed by the Welsh Ministers by order made by statutory instrument, and
- (c) the Electoral Commission must arrange for the Code to be published in the manner it thinks appropriate.

(8) Sub-paragraph (6) does not prevent a new draft code from being laid before the Senedd.

(9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before the Senedd, with no account being taken of any period

during which the Senedd is dissolved or is in recess for more than 4 days.

(10) In this paragraph, references to a draft code include a revised draft code.

SCHEDULE 8 Article 71(8)

Use of rooms in school premises or meeting rooms for Senedd election meetings

Use of rooms in school premises

1.—(1) Arrangements for the use of a room in the premises of a school must be made with—

- (a) the local authority maintaining the school, or
- (b) the governing body of the school in the case of a room in the premises of a foundation or voluntary aided school.

(2) The Welsh Ministers may determine any question relating to—

- (a) the rooms in school premises which a candidate is entitled to use;
- (b) the times at which a candidate is entitled to use the rooms;
- (c) the notice which is reasonable for a candidate to give to use the rooms.

List of rooms in school premises

2.—(1) Each local authority must prepare and keep under review, for each Senedd constituency partly or wholly situated within its area, a list of rooms in school premises which candidates are entitled to use.

(2) The list must include the rooms in school premises outside, as well as those premises inside, the constituency.

(3) The list, including any changes or revisions, must be provided to the registration officer by the relevant local authority.

List of meeting rooms

3.—(1) Each local authority must prepare and keep under review, for each Senedd constituency partly or wholly within its area, a list of the meeting rooms which candidates are entitled to use.

(2) The list must include—

- (a) details about where an application to use the room is to be sent;

(b) the rooms in premises outside, as well as those premises inside, the constituency.

(3) The list must not include a room if those who maintain that room dispute that candidates have a right to use it.

(4) The relevant local authority must provide the list, including any changes or revisions, to the registration officer.

Lists to be kept by the registration officer

4. The lists of rooms must be kept by the registration officer for the Senedd constituency to which they relate.

Inspection of lists

5. When a notice of election is published in accordance with the table in rule 1(1) of Schedule 5, a candidate or an election agent is entitled, at all reasonable hours, to inspect the lists or a copy of the lists.

SCHEDULE 9 Article 86 and 88(1)

Modification of Election Petition Rules 1960

Senedd election petition: modification of the Election Petition Rules 1960

1. The Election Petition Rules 1960(1) (“the 1960 Rules”) apply to a Senedd election petition subject to the modifications set out in this Schedule.

Modification of rule 2(2) (definitions)

2.—(1) Rule 2(2) is to be read as if it contained the following additional defined terms—

“candidate” (*“ymgeisydd”*) means an individual candidate or a party list candidate for return as a Senedd member;

“the Clerk of the Senedd” (*“y Clerc”*) is to be construed in accordance with section 26 of the Government of Wales Act 2006;

“party list candidate” (*“ymgeisydd rhestr plaid”*) means a candidate included on a list of a registered political party;

(1) S.I. 1960/543 as amended by S.I. 1985/1278; S.I.1999/1352 and S.I. 2003/972.

“Presiding Officer of the Senedd” (*“Llywydd y Senedd”*) is to be construed in accordance with section 25 of the Government of Wales Act 2006;

“registered political party” (*“plaid wleidyddol gofrestredig”*) means a party registered under Part 2 of Political Parties, Elections and Referendums Act 2000;

“Senedd Cymru election” (*“etholiad i’r Senedd”*) means the holding of elections for the return of all Senedd members;

“Senedd constituency” (*“etholaeth Senedd”*) is to be construed in accordance with section 2 of the Government of Wales Act 2006;

“Senedd election petition” (*“deiseb etholiad ar gyfer etholiad i’r Senedd”*) means a petition presented in pursuance of Part 4 of the Senedd Cymru (Representation of the People) Order 2025.

(2) In rule 2(2), the definitions are modified as follows—

- (a) except in rule 2(3), “the Act” is to be read as meaning this Order, and any reference to a section of the 1983 Act is to be read as a reference to the corresponding provision in this Order, as set out in paragraph 8 of this Schedule;
- (b) “local election petition”, is to be read as if it were omitted as is Rule 18 and any reference in the 1960 Rules to a provision of the 1983 Act which applies only to a local election petition;
- (c) “petition” is to be read as meaning a Senedd election petition;
- (d) “constituency” is to be read as meaning the Senedd constituency to which the petition relates.

Modification of rule 2(3) (prescribed officer)

3. In rule 2(3), “the prescribed officer in relation to elections under the Local Government Act” is to be read as “the prescribed officer in relation to elections under Part 1 of the Government of Wales Act 2006”.

Modification of rule 4(1) (form of petition)

4. In rule 4(1), sub-paragraph (b)—

- (a) “in the case of a parliamentary election” is to be read as if it were omitted;
- (b) “the Clerk of the Crown” is to be read as “the Clerk of the Senedd”.

Modification of rule 9(3) (display etc. of notice of time and place of trial)

5. In rule 9(3)—

- (a) “a parliamentary election petition” is to be read as “a Senedd election petition”;
- (b) “and in any other case not less than 7 days,” is to be read as if it were omitted.

Modification of rule 10(1) (identifying votes at issue)

6. Rule 10(1) is to be read as follows—

“(1) Where the petition claims the seat for an unsuccessful candidate on the ground that the individual candidate, or the registered political party on whose list the candidate was a party list candidate, had a higher electoral figure than that of another individual candidate or of another registered political party to whom a seat in the Senedd constituency was allocated, every party must, not less than 7 days before the day fixed for the trial—

- (a) file a list of the votes the candidate contends were wrongly admitted or rejected stating, in respect of each such vote, the grounds for the candidate’s contention, and
- (b) serve a copy of the list on every other party and the Director of Public Prosecutions.”

Modification of the schedule (election petition)

7. The Senedd election petition form in the Schedule, given effect by rule 4(1), is to be read as follows—

“

**Templed Deiseb Etholiad ar gyfer Etholiad
i’r Senedd**

**Yn yr Uchel Lys Barn, Is-adran Mainc y
Brenin**

**Ym Mater Deddf Llywodraeth Cymru 2006 a
Gorchymyn Senedd Cymru (Cynrychiolaeth
y Bobl) 2025**

**Ac ym Mater Etholiad Senedd Cymru ar
gyfer [nodwch fan]**

A gynhaliwyd ar [nodwch ddyddiad]

Mae Deiseb A.B. o _____ [ac C.D. o _____] yn dangos:-

1. Bod Deisebydd A.B. yn berson a bleidleisiodd [*neu* yr oedd ganddo hawl i bleidleisio] yn yr etholiad uchod [*neu* yn ymgeisydd yn yr etholiad uchod][*neu* yn honni bod ganddo hawl i gael ei ethol neu ei ddychwelyd yn yr etholiad uchod] [*neu*, yn achos dychweliad o dan adran 11 o Ddeddf Llywodraeth Cymru 2006, yn honni bod ganddo hawl i gael ei ddychwelyd o dan adran 11 o Ddeddf Llywodraeth Cymru 2006] a bod Deisebydd C.D. [*nodwch yn yr un modd ym mha rinwedd y mae C.D. yn cyflwyno'r ddeiseb*].

2. Bod yr etholiad wedi ei gynnal ar [*mewnosoder dyddiad*] pan oedd [*mewnosoder enwau'r ymgeiswyr*] yn ymgeiswyr unigol ac roedd ymgeiswyr ar gyfer [*mewnosoder enwau pleidiau gwleidyddol cofrestredig sy'n ymddangos ar y papur pleidleisio*], y mae enwau'r ymgeiswyr hynny mewn cysylltiad â phob un o'r pleidiau hynny wedi eu nodi isod*/ynghlwm* (*dileer fel y bo'n briodol*), a bod y swyddog canlyniadau, ar [*mewnosoder dyddiad*] wedi rhoi gwybod i Glerc y Senedd bod [*mewnosoder enw[au]*] yr ymgeisydd/ymgeiswyr] wedi ei [h]ethol/eu hethol yn briodol.

[**nodwch enw pob plaid wleidyddol gofrestredig sy'n ymddangos ar y papur pleidleisio ac ar ôl enw pob plaid, nodwch enwau ymgeiswyr y blaid honno sy'n ymddangos ar y papur pleidleisio*]

NEU

2. Bod y swyddog canlyniadau, mewn cysylltiad â sedd wag yn etholaeth [*mewnosoder enw etholaeth Senedd Cymru*], ar [*mewnosoder dyddiad*], wedi hysbysu Llywydd y Senedd fod [*mewnosoder enw'r ymgeisydd*] i lenwi'r sedd wag honno, ac yn unol ag adran 11(8) o Ddeddf Llywodraeth Cymru 2006 ei fod/bod, ar [*mewnosoder dyddiad*] wedi ei drin/thrin fel pe bai wedi ei ddatgan/datgan wedi ei ddychwelyd/dychwelyd.

3. Bod [*nodwch y ffeithiau y mae'r Deisebydd/Deisebwyr yn dibynnu arnynt*].

4. Bod [*yn achos deiseb a grybwyllir yn erthygl 90(2) neu (3) o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025 nodwch y digwyddiad y mae'r amser ar gyfer cynnig y ddeiseb yn dibynnu arno, a dyddiad y*

digwyddiad hwnnw].

Mae'r Deisebydd/Deisebwyr felly yn deisyf:-

(1) Y caniateir penderfynu, yn achos deiseb mewn perthynas ag etholiad, na chafodd y dywededig [*mewnosoder enw*] ei ethol/hethol [*neu ei ddychwelyd/dychwelyd*] yn briodol a bod yr etholiad yn ddi-rym [*neu y cafodd y dywededig [mewnosoder enw] ei ethol/hethol yn briodol ac y dylai fod wedi cael ei ddychwelyd/dychwelyd*] [*neu yn ôl y digwydd*].

NEU

(1) Y caniateir penderfynu, yn achos deiseb mewn perthynas â sedd wag, na chafodd y dywededig [*mewnosoder enw*] ei ddychwelyd/dychwelyd yn briodol ac y dylai'r dywededig [*mewnosoder enw*] fod wedi cael ei ddychwelyd/dychwelyd o dan adran 11 o Ddeddf Llywodraeth Cymru 2006 [*neu yn ôl y digwydd*].

(2) Y caniateir i'r Deisebydd/Deisebwyr gael unrhyw ryddhad pellach neu ryddhad arall sy'n gyfiawn.

Dyddiedig:

(llofnodwyd)

Y Deisebydd/Y Deisebwyr

Cynigiwyd y ddeiseb hon gan _____ a'i gyfeiriad ar gyfer ei chyflwyno yw _____

[ac mae'n asiant ar gyfer _____ o _____]

[cyfreithiwr y dywededig Ddeisebydd].

Bwriedir cyflwyno copi o'r ddeiseb hon i _____
— o _____

[ac i _____ o _____] ac i'r Cyfarwyddwr Erlyniadau Cyhoeddus.

Senedd Cymru Election Petition Template

In the High Court of Justice, King's Bench Division

**In the Matter of the Government of Wales Act 2006
and the Senedd Cymru (Representation of the
People) Order 2025**

**And in the Matter of a Senedd Cymru Election for
[state place]**

Held on [state date]

The Petition of A.B. of _____ [and C.D. of _____]
shows:—

1. That the Petitioner A.B. is a person who voted [*or had a right to vote*] at the above election [*or was a candidate at the above election*][*or claims to have had a right to be elected or returned at the above election*] [*or, in the case of a return under section 11 of the Government of Wales Act 2006, claims to have had a right to be returned under section 11 of the Government of Wales Act 2006*] and the Petitioner C.D. [*state similarly the capacity in which C.D. presents the petition*].

2. That the election was held on the [*insert date*] when [*insert names of candidates*] were individual candidates and there were candidates for [*insert names of registered political parties appearing on the ballot paper*] the names of those candidates in respect of each such party are set down below*/annexed hereto* (*delete as appropriate*), and on the [*insert date*], the returning officer returned [*insert name[s] of candidate[s]*] to the Clerk of the Senedd as being duly elected.

[**set out the name of each registered political party appearing on the ballot paper and after the name of each party the names of the candidates of that party appearing on the ballot paper*]

OR

2. That in respect of a vacancy in the [*insert name of Senedd constituency*] constituency, on the [*insert date*] the returning officer notified the Presiding Officer of the Senedd that [*insert name of candidate*] was to fill that vacancy, and pursuant to section 11(8) of the Government of Wales Act 2006 was on the [*insert date*] treated as having been declared to be returned.

3. That [*state the facts on which the Petitioner[s] rely*].

4. That [*in the case of a petition mentioned in article 90(2) or (3) of the Senedd Cymru (Representation of the People) Order 2025 state the event on which the time for presentation of the petition depends and its*]

date].

The Petitioner[s] therefore pray[s]:—

(1) That, in the case of a petition in relation to an election, it may be determined that the said [*insert name*] was not duly elected [*or returned*] and that the election was void [*or that the said [insert name] was duly elected and ought to have been returned [or as the case may be]*].

OR

(1) That, in the case of a petition in relation to a vacancy, it may be determined that the said [*insert name*] was not duly returned and that the said [*insert name*] ought to have been returned under section 11 of the Government of Wales Act 2006 [*or as the case may be*].

(2) That the Petitioner[s] may have such further or other relief as may be just.

Dated:

(signed)

Petitioner(s)

This petition was presented by ——— whose address for service is ———

[and who is agent for ——— of ———]

[solicitor of said Petitioner].

It is proposed to serve a copy of this petition on ———
— of ———

[and ——— of ———] and on the Director of Public Prosecutions.

”.

Modifications of references to a section of the Representation of the People Act 1983

8. In respect of the table in this paragraph, where a provision of the 1960 Rules listed in column 1 includes a

reference to a section of the 1983 Act listed in the corresponding row of column 2, that section is to be read as a reference to the corresponding article in this Order listed in column 3—

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Rule 4(1)(a)	Section 121(1)	Article 89(1)
Rule 4(1)(c)	Section 122(2) or (3)	Article 90(2) or (3)
Rule 5(1)	Section 136	Article 94
Rule 6(1)	Section 121(2)	Article 89(3)
Rule 7	Section 136(4)	Article 94(5)
Rule 8	Section 138(1)	Article 96(1)
Rule 10(2)	Section 139(5)	Article 97(6)
Rule 11	Section 146(1)	Article 103(1) and (2)
Rule 19(1)	Section 119	Article 38
Rule 19(2)	Section 119(2)	Article 38(2)
Rule 21(2)(b)	Section 184	Article 134

SCHEDULE 10
Appendix of forms

Ffurf 1

Ffurf papur dirprwy

Paragraff 12(3) o Atodlen 1

Etholiad i Senedd Cymru

Papur dirprwy

Etholaeth:

Dosbarth y pôl:

Enw'r dirprwy:

Cyfeiriad:
.....

a benodwyd drwy hyn yn ddirprwy ar gyfer:
(Enw'r etholwr)
.....

sy'n gymwys i gael ei gofrestru neu ei chofrestru ar gyfer:
(Cyfeiriad cymhwysol)
.....

i bleidleisio ar ran yr etholwr yn

*yr etholiad i Senedd Cymru ar gyfer yr etholaeth uchod ar [mewnosoder y dyddiad].
.....

*unrhyw etholiad i Senedd Cymru ar gyfer yr etholaeth uchod.

*Nid yw'r penodiad dirprwy hwn yn ddilys tan
.....

*Mae'r penodiad dirprwy hwn yn parhau yn ddilys tan
.....

Llofnod:

Swydddog cofrestru:

Cyfeiriad:
.....

Dyddiad:

** Dileer pa un bynnag nad yw'n gymwys.*

Eich hawl i bleidleisio fel dirprwy

1. Mae'r papur dirprwy hwn yn rhoi'r hawl i chi bleidleisio fel dirprwy, mewn etholiad, neu etholiadau, i Senedd Cymru yn unig, ar ran yr etholwr y rhoddir ei enw uchod.

2. Gall eich penodiad fel dirprwy fod ar gyfer etholiad i Senedd Cymru ar ddiwrnod penodol neu gall fod am gyfnod penodol neu gyfnod amhenodol. Os yw ar gyfer etholiad ar ddiwrnod penodol, mae gennych hawl i bleidleisio yn yr etholiad a bennir yn y papur dirprwy yn unig. Os yw am gyfnod penodol, bydd eich hawl i bleidleisio fel dirprwy yn dod i ben ar y dyddiad a nodir ar y ffurflen. Os yw am gyfnod amhenodol, yn gyffredinol mae gennych yr hawl i bleidleisio mewn unrhyw etholiad i Senedd Cymru nes i'r swydddog cofrestru roi gwybod ichi i'r gwrthwyneb.

3. Pan wnaeth yr etholwr gais ichi gael eich penodi'n ddirprwy, NAILL AI y gofynnwyd i'r etholwr ddatgan ei fod wedi ymgynghori â chi a'ch bod yn gallu cael eich penodi, ac yn fodlon cael eich penodi'n ddirprwy NEU y gwnaethoch lofnodi datganiad yn datgan eich bod yn gallu cael eich penodi, ac yn fodlon cael eich penodi'n ddirprwy. Gallwch gael eich penodi'n ddirprwy os ydych yn 16 oed o leiaf ar ddiwrnod y pŵl, yn ddinesydd Prydeinig neu'n ddinesydd arall o'r Gymanwlad, yn ddinesydd o Weriniaeth Iwerddon, yn ddinesydd perthnasol o'r Undeb neu'n ddinesydd tramor cymhwysol, ac nid am unrhyw reswm wedi eich gwahardd rhag pleidleisio. Os nad ydych yn alluog i gael eich penodi, neu os nad ydych yn barod i gael eich penodi'n ddirprwy, am ryw reswm, ysgrifennwch at yr etholwr yn gofyn iddo ganslo'r penodiad.

4. Cewch bleidleisio fel dirprwy yn yr orsaf bleidleisio a neilltuwyd i'r etholwr y cawsoch eich penodi ar ei ran. Fodd bynnag, ni chewch bleidleisio fel dirprwy—

- mewn etholiad i Senedd Cymru yn yr un etholaeth neu'r un etholaethau Senedd Cymru, neu
- mewn unrhyw achos arall, yn yr un etholiad,

ar ran mwy na dau etholwr nad ydych yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu'n nain/mam-gu, yn frawd, yn chwaer, yn blentyn, yn wŷr neu'n wyres iddynt.

5. Ychydig cyn diwrnod y pŵl, anfonir cerdyn pleidleisio drwy ddirprwy atoch yn dweud wrthyh ymhle mae'r orsaf bleidleisio. Nid oes angen ichi fynd â'r cerdyn pleidleisio na'r

papur dirprwy hwn i'r orsaf bleidleisio, ond bydd yn ddefnyddiol gwneud hynny. Cofiwch y caiff yr etholwr bleidleisio yn bersonol o hyd. Os yw'r etholwr yn gwneud cais am bapur pleidleisio yn yr orsaf bleidleisio o'ch blaen, ni fydd yn bosibl ichi bleidleisio fel dirprwy ar ran yr etholwr.

6. Os na allwch bleidleisio'n bersonol yn yr orsaf bleidleisio, efallai y bydd y swyddog cofrestru yn gallu caniatáu ichi bleidleisio fel dirprwy drwy'r post.

7. Cewch bleidleisio drwy'r post mewn etholiad i Senedd Cymru ar ddiwrnod penodol. Ond ni all y swyddog cofrestru ganiatáu cais i bleidleisio drwy'r post mewn etholiad i Senedd Cymru ar ddiwrnod penodol os yw'r cais hwnnw'n dod i law'r swyddog cofrestru ar ôl 5 p.m. ar yr unfed diwrnod gwaith ar ddeg cyn y pôl.

Form 1

Form of proxy paper

Paragraph 12(3) of Schedule 1

Senedd Cymru Election

Proxy paper

Constituency:

Polling district:

Name of proxy:

Address:
.....

is hereby appointed as proxy for:
(Name of elector)

who is qualified to be registered for:
(Qualifying address)

to vote for the elector at

*the Senedd Cymru election for the above constituency on [insert date]
..

*any Senedd Cymru election for the above constituency.

*This proxy appointment is not valid until

*This proxy appointment remains valid until

Signature:

Registration officer:

Address:
.....

Date:

**Delete whichever is inapplicable.*

Your right to vote as proxy

1. This proxy paper gives you the right to vote as proxy, at a Senedd Cymru election or Senedd Cymru elections only, on behalf of the elector whose name is given above.
2. Your appointment as proxy may be for a Senedd Cymru election on a particular day or it may be for a particular period or an indefinite period. If it is for an election on a particular day, you have the right to vote only at the election specified in the proxy paper. If it is for a particular period, your right to vote as proxy expires on the date stated on the form. If it is for an indefinite period, you have in general the right to vote at any Senedd Cymru election until the registration officer informs you to the contrary.
3. When the elector applied for you to be appointed as proxy EITHER the elector was asked to state that they had consulted you and that you were capable of being, and willing to be, appointed as proxy OR you signed a statement stating that you were capable of being, and willing to be, appointed as proxy. You are capable of being appointed as proxy if you are at least 16 years old on polling day, a British or other Commonwealth citizen, a citizen of the Republic of Ireland, a relevant citizen of the Union or a qualifying foreign citizen, and not for any reason disqualified from voting. If for some reason you are not capable of being, or willing to be, appointed as proxy, please write to the elector asking them to cancel the appointment.
4. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. However, you may not vote as proxy—
 - at a Senedd Cymru election in the same Senedd Cymru constituency or constituencies, or
 - in any other case, at the same election,for more than two electors of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
5. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station, but it will be helpful to do so. Remember that the elector may still vote in person. If the elector applies for a ballot paper at the polling station prior to you, it will not be possible for you to vote as proxy on behalf of the elector.
6. If you cannot vote in person at the polling station the registration officer may be able to allow you to vote as proxy by post.

7. You may vote by post at a Senedd Cymru election on a particular day. But the registration officer cannot allow an application to vote by post at a Senedd Cymru election on a particular day if received by the registration officer after 5 p.m. on the eleventh working day before the poll.

Ffurf 2

Ffurf tystysgrif cyflogaeth

Paragraff 22 o Atodlen 1 a rheol 41(5)(b) a (6)(b) o Atodlen 5

Etholiad i Senedd Cymru

Etholiad yn etholaeth [*rhowch enw'r etholaeth*]

Tystysgrif cyflogaeth

Dyddiad yr etholiad (*diwrnod*) (*dyddiad*) (*mis*) (*blwyddyn*)

Mae gan y person a enwir isod yr hawl i bleidleisio mewn unrhyw orsaf bleidleisio yn yr etholaeth uchod ddangos ac ildio'r dystysgrif hon i'r swyddog llywyddu.

Yr wyf yn tystio nad yw'n rhesymol disgwyl i(enw'r etholwr)
sydd â'r rhif*yn y gofrestr etholwyr ar gyfer yr etholaeth a enwir uchod,
fynd yn bersonol i'r orsaf bleidleisio a ddyrannwyd **[iddo] **[iddi] yn yr etholiad hwn oherwydd ei
waith/gwaith ar y dyddiad uchod ar gyfer diben sy'n gysylltiedig â'r etholiad—

- (a) fel cwnstabl**
- (b) fel swyddog cymorth cymunedol yr heddlu**
- (c) fel gwirfoddolwr cymorth cymunedol**
- (d) gennyf fi (dim ond yn gymwys i staff y swyddog canlyniadau)**

Llofnod:.....**

Swyddog canlyniadau / swyddog heddlu (arolygwr neu uwch)

* Gellir dod o hyd i rif yr etholwr ar y cerdyn pleidleisio a anfonwyd ato yn fuan ar ôl cyhoeddi'r etholiad, neu gellir ei wirio drwy gysylltu â'r swyddog cofrestru.

** Mae'r person sy'n cwblhau'r ffurflen i ddileu pa un bynnag nad yw'n gymwys.

Form 2

Form of certificate of employment

Paragraph 22 of Schedule 1 and rule 41(5)(b) and (6)(b) of Schedule 5

Senedd Cymru Election

Election in [*insert name of constituency*] constituency

Certificate of employment

Date of election (*day*) (*date*) (*month*) (*year*)

The person named below is entitled to vote at any polling station in the above constituency on production and surrender of this certificate to the presiding officer.

I certify that(name of elector)
who is numbered*in the register of electors for the constituency named
above, cannot reasonably be expected to go in person to their allotted polling station at this election by
reason of their employment on the above date for a purpose connected with the election—

- (a) as a constable**
- (b) as a police community support officer**
- (c) as a community support volunteer**
- (d) by me (only applies to returning officer's staff)**

Signature:.....**
Returning officer/police officer (inspector or above)

* The elector's number can be found on the poll card which was sent to them shortly after the election was announced, or can be checked by contacting the registration officer.

** Person completing the form to delete whichever does not apply.

Ffurff 3

Datganiad pleidlais drwy'r post

Paragraff 3(1) o Atodlen 2

Etholiad i Senedd Cymru

Ffurff datganiad pleidlais drwy'r post

Enw'r etholwr*:

*Rhaid i'r swyddog canlyniadau hepgor yr enw pan fo'r papur pleidleisio yn cael ei anfon at etholwr neu ei ddanfôn at etholwr sydd â chofnod dienw yn y gofrestr neu at ddirprwy etholwr sydd â chofnod dienw yn y gofrestr.

[Enw'r pleidleisiwr (pan fo'n wahanol i enw'r etholwr am fod yr etholwr yn pleidleisio drwy ddirprwy)*:]

*Caniateir hepgor y llinell sy'n ymwneud ag enw'r etholwr pan nad yw'r etholwr yn pleidleisio drwy ddirprwy.

Rhif y papur pleidleisio:

Darllenwch y cyfarwyddiadau ar y diwedd cyn cwblhau'r ffurflen hon a'r papur pleidleisio.

FI YW'R PERSON Y CAFODD Y PAPUR PLEIDLEISIO Â'R RHIF UCHOD EI ANFON NEU EI DDANFON ATO.

Fy nyddiad geni (yn y fformat dd/mm/yyyy):

*Fy llofnod:

(Cadwch eich llofnod o fewn y blwch)

* Rhaid i'r swyddog canlyniadau hepgor y gofyniad ynglŷn â llofnod pan fo'r person wedi cael hepgoriad.

Rhybudd: Mae twyll etholiadol yn drosedd. Ni chaniateir ichi bleidleisio drwy ddefnyddio papur pleidleisio nad yw wedi ei gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall. Mae'n anghyfreithlon pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.

Cyfarwyddiadau ar farcio'r papur pleidleisio a chwblhau'r datganiad pleidlais drwy'r post

1. Dim ond UNWAITH y cewch chi bleidleisio ar y papur pleidleisio.

2. Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â'ch dewis. Peidiwch â marcio'ch papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

2. Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio ar ochr dde'r papur pleidleisio gyferbyn â dewis yr etholwr. Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff y pleidlais ei chyfrif.

3. Os oes arnoch angen help i bleidleisio, ni chaiff y person sy'n eich helpu ddweud wrth neb i bwy y rhoddwyd y bleidlais.

4. Rhowch y papur pleidleisio yn yr amlen lai sydd wedi ei marcio **A** a'i selio.

5. Cwblhewch y datganiad pleidlais drwy'r post drwy ei lofnodi a darparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n llofnodi'r datganiad.*

*Pan fo'r gofyniad ynglŷn â llofnod wedi ei hepgor, rhaid i'r swyddog canlyniadau newid y cyfarwyddyd hwn fel ei fod yn darllen:

5. Cwblhewch y datganiad pleidlais drwy'r post drwy ddarparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n cwblhau'r datganiad pleidlais drwy'r post.

6. Yna rhowch yr amlen sydd wedi ei marcio **A** ynghyd â'r datganiad pleidlais drwy'r post yn yr amlen fwy sydd wedi ei marcio **B**. Dychwelwch hi cyn gynted â phosibl.

7. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio'n bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

7. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio fel dirprwy dros yr etholwr yn bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.

8. Os byddwch yn difetha'r papur pleidleisio yn ddamweiniol, cewch wneud cais i'r swyddog canlyniadau am un newydd cyn 5 p.m. ar [rhowch ddyddiad y pôl]. Rhaid ichi ddychwelyd y papur pleidleisio a ddifethwyd, y datganiad pleidlais drwy'r post a'r amlenni sydd wedi eu marcio A a B. Gwnewch yn siŵr eich bod yn cysylltu â'r swyddog canlyniadau cyn gynted â phosibl. [Y swyddog canlyniadau i ddarparu manylion cysylltu ar gyfer cael cymorth.]

9. Rhaid i'r amlen sydd wedi ei marcio **B** sy'n cynnwys y papur pleidleisio a'r datganiad pleidlais drwy'r post—

- (a) cael eu hanfon drwy'r post at y swyddog canlyniadau mewn da bryd i ddod i law'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl],
- (b) cael eu rhoi â llaw i'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl], neu
- (c) cael eu cyflwyno ar [rhowch ddyddiad y pôl] mewn unrhyw orsaf bleidleisio yn yr etholaeth cyn 10 p.m.

10. Cewch wirio a yw eich pleidlais drwy'r post wedi dod i law ac wedi ei derbyn drwy gysylltu â'r swyddog canlyniadau yn [rhowch fanylion cyswllt].

Form 3

Postal voting statement

Paragraph 3(1) of Schedule 2

Senedd Cymru Election

Form of postal voting statement

Elector's name*:

*The returning officer must omit the name where the ballot paper is sent or delivered to an elector with an anonymous entry in the register or to the proxy of an elector with an anonymous entry in the register.

[Voter's name (where this differs from the elector's name because the elector is voting by proxy)*:]

*The line relating to the voter's name may be omitted where the elector is not voting by proxy.

Ballot paper No:

Please read the instructions at the end before completing this form and the ballot paper.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT OR DELIVERED TO.

My date of birth (in the format dd/mm/yyyy):

*My signature:

(Keep signature within border)

* The returning officer must omit the requirement for a signature where the person has been granted a waiver.

Warning: Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper. It is illegal to vote more than once (unless you are appointed as proxy for another elector) at the same election.

Instructions on marking the ballot paper and completing the postal voting statement

1. You may only vote ONCE on the ballot paper.
2. Vote by putting a cross [x] in the voting box next to your choice. Do not mark your ballot paper in any other way or your vote may not be counted.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

2. Vote by putting a cross [x] in the voting box next to the choice of the elector. Do not mark the ballot paper in any other way or the vote may not be counted.

3. If you need help voting, the person helping you must not tell anyone for whom the vote was given.

4. Put the ballot paper in the smaller envelope marked **A** and seal it.

5. Complete the postal voting statement by signing it and providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you sign the statement.*

*Where the requirement for a signature has been waived, the returning officer must change this instruction so that it reads:

5. Complete the postal voting statement by providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you complete the postal voting statement.

6. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it as soon as possible.

7. After receiving the postal vote, you cannot vote in person at a polling station at this election.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

7. After receiving the postal vote, you cannot vote as proxy for the elector in person at a polling station at this election.

8. If you accidentally spoil the ballot paper, you can apply to the returning officer for a replacement before 5 p.m. on [insert the date of the poll]. You must return the spoiled ballot paper, the postal voting statement and the envelopes marked A and B. Make sure you contact the returning officer as soon as possible. [Returning officer to provide contact details for assistance.]

9. The envelope marked **B** containing both the ballot paper and the postal voting statement must be—

- (a) sent by post to the returning officer in sufficient time for them to be received by the returning officer before 10 p.m. on [insert the date of the poll],
- (b) given by hand to the returning officer before 10 p.m. on [insert the date of the poll], or
- (c) handed in on [insert date of the poll] at any polling station in the constituency before 10 p.m.

10. You can check whether your postal vote has been received and accepted by contacting the returning officer at [insert contact details].

Ffurf 4

Datganiad pleidlais drwy'r post pan fo polau yn cael eu cyfuno ag etholiad arall a phan fo papurau pleidleisio yn cael eu dyroddi a'u derbyn ar y cyd

Paragraff 3(2) o Atodlen 2

Etholiad i Senedd Cymru a [enw'r awdurdod lleol]

Ffurf datganiad pleidlais drwy'r post

Enw'r etholwr*:

*Rhaid i'r swyddog canlyniadau hepgor yr enw pan fo'r papur pleidleisio yn cael ei anfon at etholwr neu ei ddanfôn at etholwr sydd â chofnod dienw yn y gofrestr neu at ddirprwy i etholwr sydd â chofnod dienw yn y gofrestr.

[Enw'r pleidleisiwr (pan fo'n wahanol i enw'r etholwr am fod yr etholwr yn pleidleisio drwy ddirprwy)*:]

*Caniateir hepgor y llinell sy'n ymwneud ag enw'r pleidleisiwr pan na fo'r etholwr yn pleidleisio drwy ddirprwy.

Rhif y papur pleidleisio:

Darllenwch y cyfarwyddiadau ar y diwedd cyn cwblhau'r ffurflen hon a'r papur pleidleisio.

FI YW'R PERSON Y CAFODD Y PAPUR PLEIDLEISIO Â'R RHIF UCHOD EI ANFON NEU EI DDANFON ATO.

Fy nyddiad geni (yn y fformat dd/mm/yyyy):

*Fy llofnod:

(Cadwch eich llofnod o fewn y blwch)

* Rhaid i'r swyddog canlyniadau hepgor y gofyniad ynglŷn â llofnod pan fo'r person wedi cael hepgoriad.

Rhybudd: Mae twyll etholiadol yn drosedd. Ni chaniateir ichi bleidleisio drwy ddefnyddio papur pleidleisio nad yw wedi ei gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall. Mae'n anghyfreithlon pleidleisio fwy nag unwaith yn yr etholiad i Senedd Cymru a'r etholiad llywodraeth leol (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall).

Cyfarwyddiadau ar farcio'r papur pleidleisio a chwblhau'r datganiad pleidlais drwy'r post

1. Mae gennych bapurau pleidleisio ar gyfer yr etholiad i Senedd Cymru a hefyd ar gyfer yr [*etholiad(au) llywodraeth leol].

*Rhaid i'r swyddog canlyniadau roi enw'r etholiad(au) llywodraeth leol.

2. Pan fyddwch chi'n pleidleisio yn yr etholiad i Senedd Cymru (papur pleidleisio [rhoch liw'r papur pleidleisio]), dim ond UNWAITH y cewch bleidleisio ar y papur pleidleisio.

Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â'ch dewis. Peidiwch â marcio'ch papur

pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

2. Pan fyddwch chi'n pleidleisio yn yr etholiad i Senedd Cymru (papur pleidleisio [rhowch liw'r papur pleidleisio]), dim ond UNWAITH y cewch bleidleisio ar y papur pleidleisio.

Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â dewis yr etholwr. Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff y bleidlais ei chyfrif.

I'W DDEFNYDDIO PAN DDEFNYDDIR SYSTEM BLEIDLEISIO MWYAFRIF SYML

3. Pan fyddwch chi'n pleidleisio yn yr etholiad(au) llywodraeth leol (papur(au) pleidleisio [rhowch liw'r papur(au) pleidleisio]), pleidleisiwch dros UN ymgeisydd NEU pleidleisiwch dros ddim mwy na(g) [rhowch nifer yr ymgeiswyr sydd i'w hethol] o ymgeiswyr. (Rhaid i'r swyddog canlyniadau ddethol y geiriad sy'n briodol ar gyfer yr etholiadau.)*

Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â'ch dewis. Peidiwch â marcio'ch papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chyfrifir eich pleidlais/pleidleisiau.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

3. Pan fyddwch yn pleidleisio yn yr etholiad(au) llywodraeth leol (papur(au) pleidleisio [rhowch liw'r papur(au) pleidleisio]), pleidleisiwch dros UN ymgeisydd NEU pleidleisiwch dros ddim mwy na(g) [rhowch nifer yr ymgeiswyr sydd i'w hethol] o ymgeiswyr. (Rhaid i'r swyddog canlyniadau ddethol y geiriad sy'n briodol ar gyfer yr etholiadau.)*

Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â dewis yr etholwr. Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chyfrifir y bleidlais/pleidleisiau.

I'W DDEFNYDDIO PAN DDEFNYDDIR SYSTEM PLEIDLAIS SENGL DROSGLWYDDADWY

3. Pan fyddwch yn pleidleisio yn yr etholiad(au) llywodraeth leol (papur(au) pleidleisio [rhowch liw'r papur(au) pleidleisio]), rhifwch yr ymgeiswyr yn nhrefn eich dewis yn y bocsys pleidleisio gyferbyn â'r ymgeiswyr.

Gallwch ddewis cynifer neu gyn lleied ag y dymunwch.

Rhowch y rhif 1 yn y bocs pleidleisio gyferbyn â'ch dewis cyntaf.

Rhowch y rhif 2 yn y bocs pleidleisio gyferbyn â'ch ail ddewis.

Rhowch y rhif 3 yn y bocs pleidleisio gyferbyn â'ch trydydd dewis. Ac yn y blaen.

Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chyfrifir eich pleidlais/pleidleisiau.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

3. Pan fyddwch yn pleidleisio yn yr etholiad(au) llywodraeth leol (papur(au) pleidleisio [rhowch liw'r papur(au) pleidleisio]), rhifwch yr ymgeiswyr yn nhrefn dewis yr etholwr yn y bocsys pleidleisio gyferbyn â'r ymgeiswyr.

Gall yr etholwr ddewis cynifer neu gyn lleied ag y dymuna.

Rhowch y rhif 1 yn y bocs pleidleisio gyferbyn â dewis cyntaf yr etholwr.

Rhowch y rhif 2 yn y bocs pleidleisio gyferbyn ag ail ddewis yr etholwr.

Rhowch y rhif 3 yn y bocs pleidleisio gyferbyn â thrydydd dewis yr etholwr. Ac yn y blaen.

Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chyfrifir y bleidlais/pleidleisiau.

4. Os oes arnoch angen help i bleidleisio, ni chaiff y person sy'n eich helpu ddweud wrth neb i bwy y rhoddwyd y bleidlais.

5. Rhewch y papurau pleidleisio yn yr amlen lai sydd wedi ei marcio A a'i selio.

6. Cwblhewch y datganiad pleidlais drwy'r post drwy ei lofnodi a darparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n llofnodi'r datganiad.*

*Pan fo'r gofyniad ynglŷn â llofnod wedi ei hepgor, rhaid i'r swyddog canlyniadau newid y cyfarwyddyd hwn fel ei fod yn darllen:

6. Cwblhewch y datganiad pleidlais drwy'r post drwy ddarparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n cwblhau'r datganiad pleidlais drwy'r post.

7. Yna rhewch yr amlen sydd wedi ei marcio **A** ynghyd â'r datganiad pleidlais drwy'r post yn yr amlen fwy sydd wedi ei marcio **B**. Dychwelwch hi cyn gynted â phosibl.

8. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio'n bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

8. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio fel dirprwy dros yr etholwr yn bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.

9. Os byddwch yn difetha unrhyw un neu ragor o'r papurau pleidleisio yn ddamweiniol, cewch wneud cais i'r swyddog canlyniadau am un newydd cyn 5 p.m. ar [rhewch ddyddiad y pôl]. Rhaid ichi ddychwelyd pob un o'r papurau pleidleisio a ddifethwyd, y datganiad pleidlais drwy'r post a'r amlenni sydd wedi eu marcio A a B. Gwnewch yn siŵr eich bod yn cysylltu â'r swyddog canlyniadau cyn gynted â phosibl. [Y swyddog canlyniadau i ddarparu manylion cysylltu i gael cymorth.]

10. Rhaid i'r amlen sydd wedi ei marcio **B** sy'n cynnwys y papurau pleidleisio a'r datganiad pleidlais drwy'r post—

- (a) cael eu hanfon drwy'r post at y swyddog canlyniadau mewn da bryd i ddod i law'r swyddog canlyniadau cyn 10 p.m. ar [rhewch ddyddiad y pôl],
- (b) cael eu rhoi â llaw i'r swyddog canlyniadau cyn 10 p.m. ar [rhewch ddyddiad y pôl], neu
- (c) cael eu cyflwyno ar [rhewch ddyddiad y pôl] mewn unrhyw orsaf bleidleisio yn [y ward] [yr ardal etholiadol] [yr etholaeth] cyn 10 p.m.

11. Cewch wirio a yw eich pleidlais drwy'r post wedi dod i law ac wedi ei derbyn drwy gysylltu â'r swyddog canlyniadau yn [rhewch fanylion cyswllt].

Form 4

Postal voting statement where polls are combined with another election and the issue and receipt of ballot papers are taken together

Paragraph 3(2) of Schedule 2

Senedd Cymru Election and [*name of local authority*]

Form of postal voting statement

Elector's name*:

*The returning officer must omit the name where the ballot paper is sent or delivered to an elector with an anonymous entry in the register or to the proxy of an elector with an anonymous entry in the register.

[Voter's name (where this differs from the elector's name because the elector is voting by proxy)*:]

*The line relating to the voter's name may be omitted where the elector is not voting by proxy.

Ballot paper No:

Please read the instructions at the end before completing this form and the ballot paper.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT OR DELIVERED TO.

My date of birth (in the format dd/mm/yyyy):

*My signature:

(Keep signature within border)

* The returning officer must omit the requirement for a signature where the person has been granted a waiver.

Warning: Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper. It is illegal to vote more than once at the Senedd Cymru election and the local government election (unless you are appointed as proxy for another elector).

Instructions on marking the ballot paper and completing the postal voting statement

1. You have ballot papers for the Senedd Cymru election and also for the [*local government election(s)].

*The returning officer must insert the name of local government election(s).

2. When you are voting in the Senedd Cymru election ([insert colour of ballot paper] ballot paper), you may only vote ONCE on the ballot paper.

Vote by putting a cross [x] in the voting box next to your choice. Do not mark your ballot paper in any other way or your vote may not be counted.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

2. When you are voting in the Senedd Cymru election ([insert colour of ballot paper] ballot paper), you may only vote ONCE on the ballot paper.

Vote by putting a cross [x] in the voting box next to the choice of the elector. Do not mark the ballot paper in any other way or the vote may not be counted.

TO BE USED WHERE A SIMPLE MAJORITY SYSTEM OF VOTING IS IN USE

3. When you are voting in the local government election(s) ([insert colour of ballot paper(s)] ballot paper(s)), vote for ONE candidate OR vote for no more than [insert the number of candidates to be elected] candidates. (The returning officer must select the wording that is appropriate for the elections.)*

Vote by putting a cross [x] in the voting box next to your choice(s). Do not mark your ballot paper in any other way or your vote(s) may not be counted.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

3. When you are voting in the local government election(s) ([insert colour of ballot paper(s)] ballot papers(s)), vote for ONE candidate OR vote for no more than [insert the number of candidates to be elected] candidates. (The returning officer must select the wording that is appropriate for the elections.)*

Vote by putting a cross [x] in the voting box next to the choice(s) of the elector. Do not mark the ballot paper in any other way or the vote(s) may not be counted.

TO BE USED WHERE A SINGLE TRANSFERABLE VOTE SYSTEM IS IN USE

3. When you are voting in the local government election(s) ([insert colour of ballot paper(s)] ballot paper(s)), number the candidates in the order of your choice in the voting boxes opposite the candidates.

You can make as many or as few choices as you want to.

Put the number 1 in the voting box next to your first choice.

Put the number 2 in the voting box next to your second choice.

Put the number 3 in the voting box next to your third choice. And so on.

Do not mark the ballot paper in any other way or your vote(s) may not be counted.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

3. When you are voting in the local government election(s) ([insert colour of ballot paper(s)] ballot paper(s)), number the candidates in the order of the elector's choice in the voting boxes opposite the candidates.

The elector can make as many or as few choices as they want to.

Put the number 1 in the voting box next to the elector's first choice.

Put the number 2 in the voting box next to the elector's second choice.

Put the number 3 in the voting box next to the elector's third choice. And so on.

Do not mark the ballot paper in any other way or the vote(s) may not be counted.

4. If you need help voting, the person helping you must not tell anyone for whom the vote was given.

5. Put the ballot papers in the smaller envelope marked **A** and seal it.

6. Complete the postal voting statement by signing it and providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you sign the statement.*

*Where the requirement for a signature has been waived, the returning officer must change this instruction so that it reads:

6. Complete the postal voting statement by providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you complete the postal voting statement.

7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it as soon as possible.

8. After receiving the postal vote, you cannot vote in person at a polling station at this election.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

8. After receiving the postal vote, you cannot vote as proxy for the elector in person at a polling station at this election.

9. If you accidentally spoil any of the ballot papers, you can apply to the returning officer for a replacement before 5 p.m. on [insert the date of the poll]. You must return all ballot papers, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the returning officer as soon as possible. [Returning officer to provide contact details for assistance.]

10. The envelope marked **B** containing both the ballot papers and the postal voting statement must be—

- (a) sent by post to the returning officer in sufficient time for them to be received by the returning officer before 10 p.m. on [insert the date of the poll],
- (b) given by hand to the returning officer before 10 p.m. on [insert the date of the poll], or
- (c) handed in on [insert date of the poll] at any polling station in the [constituency] [electoral area] [ward] before 10 p.m.

11. You can check whether your postal vote has been received and accepted by contacting the returning officer at [insert contact details].

Ffurf 5

Datganiad pleidlais drwy'r post pan fo polau yn cael eu cyfuno ag etholiad arall ond pan na fo papurau pleidleisio yn cael eu dyroddi a'u derbyn ar y cyd

Paragraff 3(3) o Atodlen 2

Etholiad i Senedd Cymru

Ffurf datganiad pleidlais drwy'r post

Enw'r etholwr*:

*Rhaid i'r swyddog canlyniadau hepgor yr enw pan fo'r papur pleidleisio yn cael ei anfon at etholwr neu ei ddanfôn at etholwr sydd â chofnod dienw yn y gofrestr neu at ddirprwy i etholwr sydd â chofnod dienw yn y gofrestr.

[Enw'r pleidleisiwr (pan fo'n wahanol i enw'r etholwr am fod yr etholwr yn pleidleisio drwy ddirprwy)*:]

*Caniateir hepgor y llinell sy'n ymwneud ag enw'r pleidleisiwr pan na fo'r etholwr yn pleidleisio drwy ddirprwy.

Rhif y papur pleidleisio:
(*rhowch y lliw*)

Darllenwch y cyfarwyddiadau ar y diwedd cyn cwblhau'r ffurflen hon a'r papur pleidleisio.

FI YW'R PERSON Y CAFODD Y PAPUR PLEIDLEISIO Â'R RHIF UCHOD EI ANFON NEU EI DDANFON ATO.

Fy nyddiad geni (yn y fformat dd/mm/yyyy):

*Fy llofnod:

(Cadwch eich llofnod o fewn y blwch)

* Rhaid i'r swyddog canlyniadau hepgor y gofyniad ynglŷn â llofnod pan fo'r person wedi cael hepgoriad.

Rhybudd: Mae twyll etholiadol yn drosedd. Ni chaniateir ichi bleidleisio drwy ddefnyddio papur pleidleisio nad yw wedi ei gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall. Mae'n anghyfreithlon pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.

Cyfarwyddiadau ar farcio'r papur pleidleisio a chwblhau'r datganiad pleidlais drwy'r post

1. Dim ond UNWAITH y cewch chi bleidleisio ar y papur pleidleisio.
2. Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â'ch dewis. Peidiwch â marcio'ch papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

2. Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â dewis yr etholwr. Peidiwch â marcio'r papur pleidleisio mewn unrhyw ffordd arall neu mae'n bosibl na chaiff y bleidlais ei chyfrif.

3. Os oes arnoch angen help i bleidleisio, ni chaiff y person sy'n eich helpu ddweud wrth neb i bwy y rhoddwyd y bleidlais.

4. Defnyddir gwahanol liwiau ar gyfer y papurau pleidleisio ar gyfer pob etholiad. Mae gan bob math o etholiad ei amlen papur pleidleisio (wedi ei marcio **A**), ei ddatganiad pleidlais drwy'r post a'i amlen ddychwelyd (wedi ei marcio **B**) ei hun. Mae'r amlen ddychwelyd a'r datganiad pleidlais drwy'r post ar gyfer pob etholiad yn cyfeirio at liw'r papur neu bapurau pleidleisio perthnasol. Mae'n bwysig eich bod yn defnyddio'r amlen gywir a'r datganiad pleidlais drwy'r post cywir neu mae'n bosibl na chaiff eich pleidlais ei chyfrif. Efallai y byddai'n ddefnyddiol ichi drefnu'r dogfennau yn setiau ar wahân.

5. Rhowch y papur pleidleisio yn yr amlen lai sydd wedi ei marcio **A** a'i selio.

6. Cwblhewch y datganiad pleidlais drwy'r post drwy ei lofnodi a darparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n lofnodi'r datganiad.*

*Pan fo'r gofyniad ynglŷn â llofnod wedi ei hepgor, rhaid i'r swyddog canlyniadau newid y cyfarwyddyd hwn fel ei fod yn darllen:

6. Cwblhewch y datganiad pleidlais drwy'r post drwy ddarparu'ch dyddiad geni. Os na wnewch chi, bydd y datganiad pleidlais drwy'r post yn annilys ac ni chaiff y bleidlais ei chyfrif. Sylwch mai eich **dyddiad geni** sy'n ofynnol, nid y dyddiad rydych chi'n cwblhau'r datganiad pleidlais drwy'r post.

7. Yna rhowch yr amlen sydd wedi ei marcio **A** ynghyd â'r datganiad pleidlais drwy'r post yn yr amlen fwy sydd wedi ei marcio **B**. Dychwelwch hi cyn gynted â phosibl.

8. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio'n bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.*

*Pan fo'r papur pleidleisio wedi ei anfon at berson sy'n pleidleisio fel dirprwy, dylid diwygio'r paragraff hwn fel ei fod yn darllen:

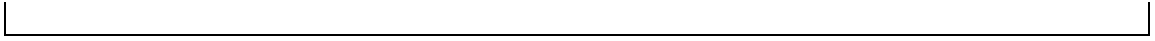
8. Ar ôl cael y bleidlais drwy'r post, ni chewch bleidleisio fel dirprwy dros yr etholwr yn bersonol mewn gorsaf bleidleisio yn yr etholiad hwn.

9. Os byddwch yn difetha papur pleidleisio yn ddamweiniol, cewch wneud cais i'r swyddog canlyniadau am un newydd cyn 5 p.m. ar [rhowch ddyddiad y pôl]. Rhaid ichi ddychwelyd y papur pleidleisio a ddifethwyd, y datganiad pleidlais drwy'r post a'r amlenni sydd wedi eu marcio A a B. Gnewch yn siŵr eich bod yn cysylltu â'r swyddog canlyniadau cyn gynted â phosibl. [Y swyddog canlyniadau i ddarparu manylion cysylltu ar gyfer cael cymorth.]

10. Rhaid i'r amlen sydd wedi ei marcio **B** sy'n cynnwys y papur pleidleisio a'r datganiad pleidlais drwy'r post—

- (a) cael eu hanfon drwy'r post at y swyddog canlyniadau mewn da bryd i ddod i law'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl],
- (b) cael eu rhoi â llaw i'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl], neu
- (c) cael eu cyflwyno ar [rhowch ddyddiad y pôl] mewn unrhyw orsaf bleidleisio yn yr etholaeth cyn 10 p.m.

11. Cewch wirio a yw eich pleidlais drwy'r post wedi dod i law ac wedi ei derbyn drwy gysylltu â'r swyddog canlyniadau yn [rhowch fanylion cyswllt].



Form 5

Postal voting statement where polls are combined with another election but the issue and receipt of ballot papers are not taken together

Paragraph 3(3) of Schedule 2

Senedd Cymru Election

Form of postal voting statement

Elector's name*:

*The returning officer must omit the name where the ballot paper is sent or delivered to an elector with an anonymous entry in the register or to the proxy of an elector with an anonymous entry in the register.

[Voter's name (where this differs from the elector's name because the elector is voting by proxy)*:]

*The line relating to the voter's name may be omitted where the elector is not voting by proxy.

Ballot paper No:

(insert colour)

Please read the instructions at the end before completing this form and the ballot paper.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT OR DELIVERED TO.

My date of birth (in the format dd/mm/yyyy):

*My signature:

(Keep signature within border)

* The returning officer must omit the requirement for a signature where the person has been granted a waiver.

Warning: Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper. It is illegal to vote more than once (unless you are appointed as proxy for another elector) at the same election.

Instructions on marking the ballot paper and completing the postal voting statement

1. You may only vote ONCE on the ballot paper.

2. Vote by putting a cross [x] in the voting box next to your choice. Do not mark your ballot paper in any other way or your vote may not be counted.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

2. Vote by putting a cross [x] in the voting box next to the choice of the elector. Do not mark the ballot paper in any other way or the vote may not be counted.

3. If you need help voting, the person helping you must not tell anyone for whom the vote was given.

4. Different colours are used for the ballot papers for each election. Each type of election has its own ballot paper envelope (marked **A**), postal voting statement and return envelope (marked **B**). The return envelope and postal voting statement for each election refer to the colour of the relevant ballot paper or papers. It is important that you use the correct envelope and postal voting statement or your vote may not be counted. You may find it helpful to sort the documents into separate sets.

5. Put the ballot paper in the appropriate smaller envelope marked **A** and seal it.

6. Complete the postal voting statement by signing it and providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you sign the statement.*

*Where the requirement for a signature has been waived, the returning officer must change this instruction so that it reads:

6. Complete the postal voting statement by providing your date of birth. If you do not, the postal voting statement will be invalid and the vote will not be counted. Note that it is your **date of birth** that is required, not the date on which you complete the postal voting statement.

7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it as soon as possible.

8. After receiving the postal vote, you cannot vote in person at a polling station at this election.*

*Where the ballot paper has been sent to a person voting as proxy, this paragraph should be amended so that it reads:

8. After receiving the postal vote, you cannot vote as proxy for the elector in person at a polling station at this election.

9. If you accidentally spoil a ballot paper, you can apply to the returning officer for a replacement before 5 p.m. on [insert the date of the poll]. You must return the spoilt ballot paper, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the returning officer as soon as possible. [Returning officer to provide contact details for assistance.]

10. The envelope marked **B** containing both the ballot paper and the postal voting statement must be—

- (a) sent by post to the returning officer in sufficient time for them to be received by the returning officer before 10 p.m. on [insert the date of the poll];
- (b) given by hand to the returning officer before 10 p.m. on [insert the date of the poll]; or
- (c) handed in on [insert date of the poll] at any polling station in the constituency before 10 p.m.

11. You can check whether your postal vote has been received and accepted by contacting the returning officer at [insert contact details].

Ffurf 6

Datganiad ynghylch papurau pleidleisio drwy'r post

Paragraff 30(1)(b) o Atodlen 2

Etholiad i Senedd Cymru

Etholaeth:

Dyddiad y pôl:

<i>A. Y papurau pleidleisio drwy'r post a ddyroddwyd</i>	Nifer ar gyfer yr etholaeth
1. Nifer y papurau pleidleisio drwy'r post a ddyroddwyd o dan baragraff 8 o Atodlen 2.	
2. Nifer y papurau pleidleisio drwy'r post newydd a ddyroddwyd o dan baragraff 14 (difethwyd a'u dychwelwyd i'w canslo), paragraff 15 (ar goll a heb ddod i law) a pharagraff 16 (canslo papurau pleidleisio drwy'r post) o Atodlen 2.	
3. Cyfanswm y papurau pleidleisio drwy'r post a ddyroddwyd (eitemau 1 a 2).	
4. Nifer y papurau pleidleisio drwy'r post a ganslwyd o dan baragraff 16 o Atodlen 2.	
<i>B.(1) Y papurau pleidleisio drwy'r post a ddaeth i law a phapurau pleidleisio drwy'r post newydd</i>	Nifer ar gyfer yr etholaeth
5. Nifer y prif amlenni a ddaeth i law y swyddog canlyniadau neu mewn gorsaf bleidleisio cyn i'r pôl gau (ac eithrio unrhyw rai yr ymdriniwyd â hwy yn y dull y darperir ar ei gyfer gan baragraffau 14 i 16 o Atodlen 2).	
6. Nifer y prif amlenni a ddaeth i law y swyddog canlyniadau ar ôl i'r pôl gau (ac eithrio unrhyw rai a ddychwelwyd fel rhai nas danfonwyd).	
7. Nifer y papurau pleidleisio drwy'r post a ddychwelwyd wedi'u difetha i'w canslo mewn pryd i ddyroddi papur pleidleisio arall.	
8. Nifer y papurau pleidleisio drwy'r post y nodwyd eu bod wedi mynd ar goll neu nad oeddent wedi dod i law mewn pryd i ddyroddi papur pleidleisio arall.	
9. Nifer y papurau pleidleisio a gafodd eu canslo a'u cael yn ôl mewn pryd i ddyroddi papur pleidleisio pan nad yw un eisoes wedi ei ddyroddi.	
10. Nifer y papurau pleidleisio drwy'r post a ddychwelwyd fel rhai a ddifethwyd ac yn rhy hwyr i ddyroddi papur pleidleisio arall.	
11. Nifer y prif amlenni a ddychwelwyd fel rhai nas danfonwyd (erbyn diwedd y 10fed diwrnod ar ôl dyddiad y pôl).	
12. Nifer y prif amlenni na ddaeth i law y swyddog canlyniadau (erbyn diwedd 10fed diwrnod ar ôl dyddiad y pôl).	
13. Nifer y papurau pleidleisio drwy'r post a amnewidiwyd fel rhai a oedd wedi mynd ar goll neu heb ddod i law ond nad oeddent wedi eu dychwelyd i'w canslo.	
14. Cyfanswm rhif eitemau 5 i 13 (dylai'r rhif hwn fod yr un fath â'r rhif yn eitem 3 uchod).	
15. Nifer y papurau pleidleisio drwy'r post newydd a ddyroddwyd o dan baragraff 16 o Atodlen 2.	

<i>B.(2) Y papurau pleidleisio drwy'r post a ddaeth i law – Dynodyddion personol</i>	
16. Nifer y prif amlenni a neilltuwyd ar gyfer dilysu'r dynodyddion personol ar ddatganiadau pleidleisiau drwy'r post.	
17. Nifer y datganiadau pleidleisiau drwy'r post a gafodd eu gwrthod yn dilyn y weithdrefn ddilysu fel rhai heb eu cwblhau (ac eithrio'r rhai a gafodd eu canslo yn flaenorol).	
18. Nifer y datganiadau pleidleisiau drwy'r post a gafodd eu gwrthod yn dilyn y weithdrefn ddilysu oherwydd nad oedd y dynodyddion personol ar y datganiad pleidlais drwy'r post yn cyfateb i'r rhai yn y cofnod dynodyddion personol (ac eithrio'r rhai a gafodd eu canslo yn flaenorol).	

<i>C. Cyfrif y papurau pleidleisio drwy'r post</i>	Nifer ar gyfer yr etholaeth
19. Nifer y papurau pleidleisio a ddychwelwyd gan bleidleiswyr drwy'r post ac a gafodd eu cynnwys wrth gyfri'r papurau pleidleisio.	
20. Nifer yr achosion lle'r oedd prif amlen neu ei chynnwys wedi eu marcio â'r gair "gwrthodwyd" neu'r gair "rejected" neu'r ddau (nid yw papurau a gafodd eu canslo o dan baragraffau 14 i 16 o Atodlen 2 yn rhai a wrthodwyd, ac fe ddylid eu cynnwys yn eitemau 2, 4, 7, 8 a 9 uchod).	

Dyddiad:.....

Llofnod:.....

Swyddog canlyniadau

Cyfeiriad:.....
.....

NODIADAU

Mae'r cyfeiriadau at Atodlen 2 yn gyfeiriadau at Atodlen 2 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Form 6

Statement as to postal ballot papers

Paragraph 30(1)(b) of Schedule 2

Senedd Cymru Election

Constituency:

Date of poll:

<i>A. Issue of postal ballot papers</i>	Number for constituency
1. Number of postal ballot papers issued under paragraph 8 of Schedule 2.	
2. Number of replacement postal ballot papers issued under paragraph 14 (spoilt and returned for cancellation), paragraph 15 (lost and not received) and paragraph 16 (cancellation of postal ballot papers) of Schedule 2.	
3. Total number of postal ballot papers issued (items 1 and 2).	
4. Number of postal ballot papers cancelled under paragraph 16 of Schedule 2.	

<i>B.(1) Receipt and replacement of postal ballot papers</i>	Number for constituency
5. Number of covering envelopes received by the returning officer or at a polling station before the close of poll (excluding any dealt with in the manner provided for by paragraphs 14 to 16 of Schedule 2).	
6. Number of covering envelopes received by the returning officer after the close of poll (excluding any returned as undelivered).	
7. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued.	
8. Number of postal ballot papers identified as lost or not received in time for another ballot paper to be issued.	
9. Number of ballot papers cancelled and retrieved in time for another ballot paper to be issued where one has not already been issued.	
10. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued.	
11. Number of covering envelopes returned as undelivered (by the end of the 10th day after the date of the poll).	
12. Number of covering envelopes not received by the returning officer (by the end of the 10th day after the date of the poll).	
13. Number of postal ballot papers replaced as lost or not received but not returned for cancellation.	
14. Total number of items 5 to 13 (this number should be the same as that in item 3 above).	
15. Number of replacement postal ballot papers issued under paragraph 16 of Schedule 2.	

<i>B.(2) Receipt of postal ballot papers – Personal identifiers</i>	
16. Number of covering envelopes set aside for the verification of personal identifiers on postal voting statements.	

17. Number of postal voting statements rejected following the verification procedure as not completed (excluding prior cancellations).	
18. Number of postal voting statements rejected following the verification procedure due to personal identifiers on the postal voting statement not matching those in the personal identifiers record (excluding prior cancellations).	

<i>C. Count of postal ballot papers</i>	Number for constituency
19. Number of ballot papers returned by postal voters which were included in the count of ballot papers.	
20. Number of cases in which a covering envelope or its contents were marked with the word “gwrthodwyd” or the word “rejected” or both (cancellations under paragraphs 14 to 16 of Schedule 2 are not rejections and should be included in items 2, 4, 7, 8 and 9 above).	

Date:..... Signed:.....
Returning officer

Address:.....
.....

NOTES

The references to Schedule 2 are references to Schedule 2 to the Senedd Cymru (Representation of the People) Order 2025.

Ffurf 7

Ffurf papur enwebu unigolyn

Rheol 5(1) o Atodlen 5

Ethol aelod i wasanaethu yn Senedd Cymru

Etholaeth [nodwch enw'r etholaeth]

Dyddiad yr etholiad:

Enwebir drwy hyn y person a enwir isod i fod yn ymgeisydd unigol yn yr etholiad uchod.

(Defnyddiwch briflythrennau wrth lenwi'r blychau)

Cyfenw'r ymgeisydd	Enw arall/enwau eraill yn llawn	Cyfenw a ddefnyddir yn gyffredin (os o gwbl)	Enw(au) blaen a ddefnyddir yn gyffredin (os o gwbl)	Disgrifiad (os o gwbl)

Llofnod: Dyddiad:

Enw'r tanysgrifiwr:

Cyfeiriad:
.
.

Nodiadau

1. Tynnir eich sylw at y rheolau sy'n ymwneud â chwblhau papurau enwebu a rheolau eraill sy'n ymwneud ag enwebu sydd wedi eu cynnwys yn Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.
2. Pan fo ymgeisydd yn defnyddio'n gyffredin enwau blaen neu gyfenwau sy'n wahanol mewn unrhyw ffordd i'r enwau blaen neu'r cyfenwau a roddir yn y ddwy golofn gyntaf uchod, caniateir rhoi'r enwau blaen neu'r cyfenwau a ddefnyddir yn gyffredin gan yr ymgeisydd yn y lle priodol yn y drydedd a/neu'r bedwaredd golofn os yw'r ymgeisydd yn dymuno gwneud hynny. Mae hyn yn cynnwys achosion lle y gwahaniaeth yw bod yr enwau blaen neu'r cyfenwau a ddefnyddir yn gyffredin mewn trefn wahanol, yn cynnwys rhai o'r enwau yn unig neu'n cynnwys enwau ychwanegol (ond nid yw'n gyfyngedig i hynny). Pan roddir enwau blaen neu gyfenwau a ddefnyddir yn gyffredin, bydd yr enwau hynny'n ymddangos fel arfer yn y datganiad o'r personau a enwebwyd ac ar y papur pleidleisio (yn lle unrhyw enwau eraill).
3. Ceir amgylchiadau lle y caiff y swyddog canlyniadau wrthod defnyddio'r enwau a ddefnyddir yn gyffredin ac mae'r rhain wedi eu nodi yn rheol 18 o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.
4. Yr unig ddisgrifiad y caniateir ei roi yw'r gair "Independent" neu'r gair "Annibynnol", neu'r ddau air hynny.

Form 7

Form of individual nomination paper

Rule 5(1) of Schedule 5

Election of a member to serve in the Senedd Cymru

[insert name of constituency] constituency

Date of election:

The under-mentioned person is hereby nominated as an individual candidate at the above election.

(Please complete in capitals)

Candidate's surname	Other name(s) in full	Commonly used surname (if any)	Commonly used forename(s) (if any)	Description (if any)

Signed: Date:

Subscriber's name:

Address:
.
.

Notes

1. Your attention is drawn to the rules concerning the completion of nomination papers and other rules relating to nomination contained in Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025.
2. Where a candidate commonly uses forenames or surnames that are different in any respect from the forenames or surnames that are given in the first two columns above, the candidate's commonly used forenames or surnames may be given in the appropriate place in the third and/or fourth column(s) if the candidate so wishes. This includes (but is not limited to) cases where the difference is that the commonly used forenames or surnames are in a different order, include only some of the names or include additional names. Where commonly used forenames or surnames are given, those names will generally appear in the statement of persons nominated and on the ballot paper (instead of any other names).
3. There are circumstances in which the returning officer may refuse to use the commonly used names, and these are set out in rule 18 of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025.
4. The only description that may be given is the word "Independent" or the word "Annibynnol", or both those words.

Ffurf 8

Ffurf papur enwebu plaid

Rheol 6(1)(b) o Atodlen

Ethol aelodau i wasanaethu yn Senedd Cymru

Etholaeth [rhowch enw'r etholaeth]

Dyddiad yr etholiad:

Enw(au) y blaid wleidyddol gofrestredig:

Mae'r blaid honno drwy hyn wedi ei henwebu yn yr etholiad o dan yr enw(au)/disgrifiad a ganlyn:
. (gweler nodyn 4)

Mae'r rhestr o ymgeiswyr a gyflwynwyd gan y blaid mewn cysylltiad â'r etholiad wedi ei nodi yn yr Atodlen.

Enwebir y person[au] a enwir isod fel ymgeisydd[ymgeiswyr] rhestr plaid yn yr etholiad.
(Defnyddiwch briflythrennau wrth lenwi'r blychau)

Atodlen				
Rhestr ymgeiswyr				
Cyfenw'r ymgeisydd		Enw(au) eraill yn llawn	Cyfenw a ddefnyddir yn gyffredin (os o gwbl)	Enwau blaen a ddefnyddir yn gyffredin (os o gwbl)
1				
2				
3				
4				
5				
6				
7				
8				

Llofnod: Dyddiad:
*Swyddog enwebu cofrestredig y blaid gofrestredig neu berson sydd wedi ei awdurdodi gan y
swyddog enwebu cofrestredig hwnnw*

Enw:

Cyfeiriad swyddfa'r swyddog enwebu:
.
.

Cyfeiriad e-bost (lle y bo hwnnw ar gael):

Nodiadau

1. Tynnir eich sylw at y rheolau sy'n ymwneud â chwblhau papurau enwebu a rheolau eraill sy'n ymwneud ag enwebu sydd wedi eu cynnwys yn Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.
 2. Pan fo ymgeisydd yn defnyddio'n gyffredin enwau blaen neu gyfenwau sy'n wahanol mewn unrhyw ffordd i'r enwau blaen neu'r cyfenwau a roddir yn y ddwy golofn gyntaf uchod, caniateir rhoi'r enwau blaen neu'r cyfenwau a ddefnyddir yn gyffredin gan yr ymgeisydd yn y lle priodol yn y drydedd a/neu'r bedwaredd golofn os yw'r ymgeisydd yn dymuno gwneud hynny. Mae hyn yn cynnwys achosion lle y gwahaniaeth yw bod yr enwau blaen neu'r cyfenwau a ddefnyddir yn gyffredin mewn trefn wahanol, yn cynnwys rhai o'r enwau yn unig neu'n cynnwys enwau ychwanegol (ond nid yw'n gyfyngedig i hynny). Pan roddir enwau blaen neu gyfenwau a ddefnyddir yn gyffredin, bydd yr enwau hynny'n ymddangos fel arfer yn y datganiad o'r personau a enwebwyd ac ar y papur pleidleisio (yn lle unrhyw enwau eraill).
 3. Ceir amgylchiadau lle y caiff y swyddog canlyniadau wrthod defnyddio'r enwau a ddefnyddir yn gyffredin ac mae'r rhain wedi eu nodi yn rheol 18 o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.
 4. Mewnosodwch un o'r canlynol—
 - (a) enw neu (os yw wedi ei chofrestru yn Gymraeg ac yn Saesneg) enwau'r blaid a gofrestrwyd o dan adran 28 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000, neu
 - (b) disgrifiad (ond nid mwy nag un disgrifiad) o'r blaid a gofrestrwyd o dan adran 28A o'r Ddeddf honno.
-

Form 8

Form of party nomination paper

Rule 6(1)(b) of Schedule 5

Election of members to serve in Senedd Cymru

[insert name of constituency] constituency

Date of election:

Name(s) of registered political party:

The said party is hereby nominated at the election in the following names(s)/description
. (see note 4)

The list of candidates submitted by the party in respect of the election is set out in the Schedule.

The undermentioned person[s] is/are nominated as [a] party list candidate[s] at the election.
(Please complete in capitals)

Schedule				
List of candidates				
Candidate's surname		Other name(s) in full	Commonly used surname (if any)	Commonly used forename(s) (if any)
1				
2				
3				
4				
5				
6				
7				
8				

Signed: Date:
Registered nominating officer of the registered party or person authorised by that registered nominating officer

Name:

Office address of the nominating officer:
.
.

E-mail address (where available):

Notes

1. Your attention is drawn to the rules concerning completion of nomination papers and other rules relating to nomination contained in Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025.
 2. Where a candidate commonly uses forenames or surnames that are different in any respect from the forenames or surnames that are given in the first two columns above, the candidate's commonly used forenames or surnames may be given in the appropriate place in the third and/or fourth column(s) if the candidate so wishes. This includes (but is not limited to) cases where the difference is that the commonly used forenames or surnames are in a different order, include only some of the names or include additional names. Where commonly used forenames or surnames are given, those names will generally appear in the statement of persons nominated and on the ballot paper (instead of any other names).
 3. There are circumstances in which the returning officer may refuse to use the commonly used names, and these are set out in rule 18 of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025.
 4. Insert one of the following—
 - (a) the name or (if registered in English and Welsh) the names of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000, or
 - (b) a (but not more than one) description of the party registered under section 28A of that Act.
-

Ffurf 9

Ffurf tystysgrif y cyfeirir ati yn rheol 7(1)

Rheol 7(1) o Atodlen 5

Yn unol â rheol 7(1) o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025, rwyf yn tystio drwy hyn—

yn yr etholiad yn etholaeth [*rhowch enw'r etholaeth*] ar [*rhowch ddyddiad y pôl*], fod y disgrifiad ⁽¹⁾ o'r blaid sy'n ymddangos yn y papur enwebu ar gyfer [*rhowch enw'r blaid wleidyddol gofrestredig*] wedi ei awdurdodi gan y blaid.

Llofnod:

Swyddog enwebu cofrestredig y blaid gofrestredig neu berson sydd wedi ei awdurdodi gan y swyddog hwnnw [dileer fel y bo'n briodol]

Dyddiad:

⁽²⁾Gofynnaf hefyd i arwyddlun cofrestredig y blaid [*neu, os oes mwy nag un arwyddlun cofrestredig*⁽³⁾, *nodwch pa un*] ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

Llofnod:

Swyddog enwebu cofrestredig y blaid gofrestredig neu berson sydd wedi ei awdurdodi gan y swyddog hwnnw [dileer fel y bo'n briodol]

Dyddiad:

⁽¹⁾ Mae'r disgrifiad yn golygu un o'r canlynol—

- (a) enw neu enwau cofrestredig y blaid sydd wedi ei chofrestru o dan adran 28 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000, neu
- (b) disgrifiad (ond nid mwy nag un) sydd wedi ei gofrestru o dan adran 28A o'r Ddeddf honno.

⁽²⁾ Os na chaiff y paragraff hwn ei gwblhau, ni fydd arwyddlun cofrestredig o'r blaid yn ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

⁽³⁾ Pan fo mwy nag un arwyddlun cofrestredig, byddai'n ddefnyddiol pe bai'r arwyddlun y gofynnir iddo ymddangos ar y papur pleidleisio yn cael ei bennu drwy gyfeirio at gynrychioliad o'r arwyddlun sy'n mynd gyda'r dystysgrif hon.

Form 9

Form of certificate referred to in rule 7(1)

Rule 7(1) of Schedule 5

In accordance with rule 7(1) of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025, I hereby certify—
that at the election in the [*insert name of constituency*] constituency on [*insert date of poll*], the description ⁽¹⁾ of the party appearing in the nomination paper for [*insert name of registered political party*] is authorised by the party.

Signed:

Registered nominating officer of the registered party or person authorised by that officer [delete as appropriate]

Date

⁽²⁾I also request that the party's registered emblem [*or if there is more than one registered emblem⁽³⁾, specify which one*] appear on the ballot paper against the party's name.

Signed:

Registered nominating officer of the registered party or person authorised by that officer [delete as appropriate]

Date:

⁽¹⁾ The description means one of the following—

- (a) the registered name or names of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000, or
- (b) a (but not more than one) description registered under section 28A of that Act.

⁽²⁾ If this paragraph is not completed a registered emblem of the party will not appear on the ballot paper against the party's name.

⁽³⁾ Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Ffurf 10

Ffurf cyfeiriad cartref

Rheol 8(2) o Atodlen 5

Etholiad i Senedd Cymru

Enw'r etholaeth:

Dyddiad yr etholiad:

- Rhaid ichi gwblhau Rhan 1
- Dim ond os nad ydych yn dymuno i'ch cyfeiriad cartref gael ei gyhoeddi y dylech gwblhau Rhan 2

Rhan 1: I'w gwblhau gan bob ymgeisydd.

Enw llawn yr ymgeisydd (gan gynnwys unrhyw enwau neu gyfenwau a ddefnyddir yn gyffredin yn y papur enwebu neu'r rhestr plaid):	
Cyfeiriad cartref (yn llawn):	
Cod post:	
Ai ymgeisydd unigol ynteu ymgeisydd rhestr plaid ydych chi?	

- Os ydych yn cwblhau Rhan 1 yn unig, danfonwch y ffurflen hon at y swyddog canlyniadau yn awr ynghyd â'r papur enwebu perthnasol.

Rhan 2: Dim ond os nad ydych yn dymuno i'ch cyfeiriad cartref gael ei gyhoeddi y dylech gwblhau'r Rhan hon.

- Os ydych yn gofyn i'ch cyfeiriad cartref beidio â chael ei gyhoeddi, yna ni fydd eich cyfeiriad yn ymddangos ar y datganiad o'r pleidiau a'r personau a enwebwyd.
- Os byddwch yn dewis i'ch cyfeiriad cartref beidio â chael ei gyhoeddi, bydd yr etholaeth y mae eich cyfeiriad cartref ynddi (neu'r wlad, os yw y tu allan i'r DU) yn ymddangos ar y datganiad o'r pleidiau a'r personau a enwebwyd.

Datganiad – Rwy’n ei gwneud yn ofynnol nad yw fy nghyfeiriad cartref yn cael ei gyhoeddi:

Yr etholaeth y mae fy nghyfeiriad cartref ynddi yw:	[rhowch enw etholaeth y Senedd, neu os ydych yn byw y tu allan i Gymru, rhowch enw etholaeth Seneddol y DU]
Mae fy nghyfeiriad cartref y tu allan i'r DU. Mae fy nghyfeiriad cartref yn:	[rhowch enw'r wlad]
Llofnod yr ymgeisydd:	
Dyddiad:	

- *I'w ddanfôn at y swyddog canlyniadau ynghyd â'r papur enwebu perthnasol*

Form 10

Home address form

Rule 8(2) of Schedule 5

Senedd Cymru Election

Constituency name:

Date of election:

- *You must complete Part 1*
- *Only complete Part 2 if you do not wish your home address to be made public*

Part 1: To be completed by all candidates.

Full name of candidate (including any commonly used forenames or surnames provided in the nomination paper or party list):	
Home address (in full):	
Postcode:	
Are you an individual candidate or a party list candidate?	

- *If you are only completing Part 1 please now deliver this form to the returning officer with the relevant nomination paper.*

Part 2: To be completed only if you do not wish your home address to be made public.

- *If you request that your home address is not made public, then your address will not appear on the statement of parties and persons nominated.*
- *If you choose not to make your home address public, the constituency in which your home address is located (or country, if outside of the UK) will appear on the statement of parties and persons nominated.*

Statement - I require my home address not to be made public:

The constituency in which my home address is located:	[insert the name of Senedd constituency, or if you reside outside Wales, insert the name of UK Parliamentary constituency]
My home address is situated outside the UK.	[insert name of country]

My home address is located in:	
Candidate's signature:	
Date:	

- *Deliver to the returning officer with the relevant nomination paper*

Ffurff 11 Cydsynio ag enwebiad <div style="text-align: right;">Rheol 9(1)(a) o Atodlen 5</div>	
Etholiad i Senedd Cymru Cydsynio ag enwebiad	
Adran 1: Manylion yr etholiad	
Etholaeth Senedd:	
Dyddiad yr etholiad (gweler nodyn 2):	
Adran 2: Manylion personol yr ymgeisydd	
Enw'r ymgeisydd yn llawn:	
Dyddiad geni'r ymgeisydd (yn y fformat dd/mm/yyyy):	
Cyfeiriad swyddfa rhag ofn y bydd gofyn i'r ymgeisydd fod yn asiant:	
Adran 3: Datganiad yr ymgeisydd o aelodaeth plaid (gweler nodyn 3)	
<p>A ydych chi wedi bod yn aelod o unrhyw blaid wleidyddol gofrestredig, ac eithrio'r blaid yr ydych ar ei rhestr fel ymgeisydd (os ydych chi'n ymgeisydd rhestr plaid), unrhyw bryd yn ystod y cyfnod o 12 mis sy'n dod i ben â'r diwrnod y cyhoeddwyd hysbysiad yr etholiad? Ydw/Nac ydw</p> <p>Os ydych chi ateb "Ydw", cwblhewch y tabl isod mewn perthynas â phob plaid wleidyddol gofrestredig yr ydych chi wedi bod yn aelod ohoni ar unrhyw bryd yn ystod y cyfnod hwnnw. Ychwanegwch ragor o resi os oes eu hangen. Rhaid ichi gwblhau'r tabl hyd yn oed os yw'r blaid wedi peidio â bod neu os nad yw'n blaid wleidyddol gofrestredig mwyach.</p> <p>Gofalwch sicrhau bod yr wybodaeth yr ydych chi'n ei darparu yn gywir. Mae rheol 17 o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025 yn ei gwneud yn ofynnol i'r swyddog canlyniadau gynnwys yr wybodaeth hon yn y datganiad o'r pleidiau a'r personau a enwebwyd, a gaiff ei gyhoeddi.</p>	
Enw neu enwau cofrestredig pob plaid wleidyddol gofrestredig	Y dyddiadau yn ystod y cyfnod o 12 mis pan oeddech yn aelod (gan ddefnyddio'r fformat dd/mm/yyyy i dd/mm/yyyy) <ul style="list-style-type: none"> <i>Nid oes angen i ymgeiswyr rhestr plaid gynnwys manylion y blaid wleidyddol gofrestredig y maent ar ei rhestr fel ymgeisydd.</i> <i>Os oeddech yn aelod o blaid ar ddechrau'r</i>

	<p><i>cyfnod, y dyddiad a ddarperir yn y golofn O fydd dechrau'r cyfnod.</i></p> <ul style="list-style-type: none"> <i>Os gwnaethoch ymuno â phlaid yn ystod y cyfnod, y dyddiad a ddarperir yn y golofn O fydd y dyddiad y gwnaethoch ymuno â'r blaid.</i> <i>Os gwnaethoch beidio â bod yn aelod o blaid yn ystod y cyfnod, y dyddiad yn y golofn Hyd at fydd y dyddiad y gwnaethoch adael y blaid.</i> <i>Os ydych yn parhau i fod yn aelod o blaid pan fyddwch yn llofnodi'r ffurflen, cewch roi "nawr" yn y golofn Hyd at yn hytrach na dyddiad.</i> 	
	O	Hyd at

Adran 4: Datganiadau (gweler nodyn 4)

Cwblhewch y cydsyniad a'r datganiadau a ganlyn a'u llofnodi.

Drwy hyn rwy'n cydsynio i'm henwebiad fel ymgeisydd yn yr etholiad a enwir uchod.

Rwy'n datgan, hyd eithaf fy ngwybodaeth a'm cred, nad wyf wedi fy anghymhwysu rhag cael fy ethol yn aelod o Senedd Cymru o dan adran 16(A1) o Ddeddf Llywodraeth Cymru 2006 (anghymhwysu rhag bod yn aelod o Senedd Cymru).

Rwyf hefyd yn datgan fy mod wedi fy nghofrestru fel etholwr llywodraeth leol ar gyfer ardal [rhwyf enw'r cyngor sir neu'r cyngor bwrdeistref sirol] ar y diwrnod yr wyf yn cwblhau'r ffurflen gydsynio hon ac y byddaf yn dal i fod wedi fy nghofrestru ar ddiwrnod yr etholiad.

[*Ymgeiswyr unigol*]*

Rwyf hefyd yn datgan nad wyf i—

- yn ymgeisydd rhestr plaid yn yr etholiad ar gyfer yr etholaeth uchod, na
- yn ymgeisydd unigol nac yn ymgeisydd rhestr plaid mewn etholiad ar gyfer unrhyw etholaeth arall, y mae'r pŵl ar ei chyfer i'w chynnal ar yr un diwrnod â'r pŵl ar gyfer yr etholiad y mae'r cydsyniad hwn yn ymwneud ag ef.

[*Ymgeiswyr rhestr plaid*]*

Rwyf hefyd yn datgan nad wyf i—

- yn ymgeisydd unigol yn yr etholiad ar gyfer yr etholaeth uchod, na
- yn ymgeisydd unigol nac yn ymgeisydd rhestr plaid mewn etholiad ar gyfer unrhyw etholaeth arall, y mae'r pŵl ar ei chyfer i'w chynnal ar yr un diwrnod â'r pŵl ar gyfer yr etholiad y mae'r cydsyniad hwn yn ymwneud ag ef.

**Dileer fel y bo'n briodol*

Adran 5: Llofnod yr ymgeisydd i gydsynio ag enwebiad ac ardystiad tyst

Llofnod yr ymgeisydd i'r datganiadau:	
Dyddiad y llofnod:	
Llofnodwyd ym mhresenoldeb tyst:	[Enw'r tyst]
Llofnod y tyst:	

Nodiadau i'r cydsyniad ag enwebiad

Nodyn 1: Ni fydd person yn cael ei enwebu'n ddilys oni bai bod ei gydsyniad ag enwebiad—

- (a) wedi ei roi a'i ddyddio'n ysgrifenedig ar y diwrnod a bennwyd fel y diwrnod olaf ar gyfer danfon papurau enwebu, neu o fewn mis cyn hynny,
- (b) wedi ei ardystio gan dyst, ac
- (c) wedi ei ddanfon yn y lle ac o fewn yr amser ar gyfer danfon papurau enwebu, neu wedi ei ddanfon yn electronig i gyfeiriad electronig at y diben hwnnw.

Nodyn 2: Y dyddiad sydd i'w roi yma yw'r dyddiad y cynhelir y pŵl.

Nodyn 3: Nodir y gofynion ynglŷn â datganiadau o aelodaeth plaid yn rheol 10 o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Nodyn 4: Mae'r ddau ddatganiad cyntaf hyn yn adlewyrchu'r gofynion a nodir yn adran 16(A1) o Ddeddf Llywodraeth Cymru 2006 sy'n rhagnodi'r amgylchiadau pan fo person (drwy gyfeirio at Atodlen 1A i'r Ddeddf honno) wedi ei anghymhwyso rhag bod yn aelod o'r Senedd a rhag bod yn ymgeisydd i fod yn aelod o Senedd Cymru. Mae'r ail ddatganiad yn ymwneud â pharagraff 8 o Atodlen 1A i Ddeddf Llywodraeth Cymru 2006 sy'n rhagnodi na chaiff person fod yn aelod o Senedd Cymru nac yn ymgeisydd i fod yn aelod o Senedd Cymru oni bai ei fod wedi ei gofrestru ar y gofrestr etholwyr llywodraeth leol mewn cyfeiriad yn un o etholaethau'r Senedd.

Mae'r trydydd datganiad yn adlewyrchu'r gofynion yn adran 7 o Ddeddf Llywodraeth Cymru 2006 sy'n rhagnodi mai dim ond unwaith y caiff person sefyll fel ymgeisydd mewn etholiad cyffredinol. O'r herwydd, dim ond ar un rhestr plaid y caniateir cynnwys ymgeisydd rhestr plaid, ac ni chaniateir ei gynnwys ar unrhyw restr arall (pa un a yw hynny yn yr un etholaeth neu mewn etholaeth arall). Ni chaniateir i ymgeisydd rhestr plaid sefyll fel ymgeisydd unigol ychwaith (eto, pa un a yw hynny yn yr un etholaeth neu mewn etholaeth arall). Yn yr un modd, ni chaiff person fod yn ymgeisydd unigol os yw hefyd yn ymddangos ar unrhyw restr blaid, neu'n ymddangos fel ymgeisydd unigol mewn unrhyw etholaeth arall.

Form 11 Consent to nomination <div style="text-align: right;">Rule 9(1)(a) of Schedule 5</div>					
Senedd Cymru Election Consent to nomination					
Section 1: Details of election					
Senedd constituency:					
Date of election (see note 2):					
Section 2: Candidate's personal details					
Candidate's name in full:					
Candidate's date of birth (dd/mm/yyyy):					
Office address in case the candidate is required to be an agent:					
Section 3: Candidate's statement of party membership (see note 3)					
<p>Have you been a member of any registered political party, other than the party on whose list you appear as a candidate (if you are a party list candidate), at any time during the period of 12 months ending with the day on which the notice of election is published? Yes/No</p> <p>If you have answered "Yes", complete the table below in relation to each registered political party of which you have been a member at any time during that period. Add further rows if necessary. You must complete the table even if the party has ceased to exist or is no longer a registered political party.</p> <p>Please take care to ensure that the information you provide is accurate. The returning officer is required by rule 17 of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025 to include this information in the statement of parties and persons nominated, which is published.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr> <th style="width: 40%; padding: 5px;">Registered name or names of each registered political party</th> <th style="width: 60%; padding: 5px;">The dates during the 12 months period when you were a member (using the format dd/mm/yyyy to dd/mm/yyyy)</th> </tr> <tr> <td style="height: 150px;"></td> <td style="padding: 10px;"> <ul style="list-style-type: none"> <i>Party list candidates do not need to include details of the registered political party upon whose list they appear as a candidate.</i> <i>If you were a member of a party at the start of the period, the date provided in the From column will be the start of the period.</i> <i>If you joined a party during the period, the date provided in the From column will be the date you joined the party.</i> <i>If you ceased to be a member of a party during the period, the date provided in the To column will be the date on which you left the party.</i> </td> </tr> </table>		Registered name or names of each registered political party	The dates during the 12 months period when you were a member (using the format dd/mm/yyyy to dd/mm/yyyy)		<ul style="list-style-type: none"> <i>Party list candidates do not need to include details of the registered political party upon whose list they appear as a candidate.</i> <i>If you were a member of a party at the start of the period, the date provided in the From column will be the start of the period.</i> <i>If you joined a party during the period, the date provided in the From column will be the date you joined the party.</i> <i>If you ceased to be a member of a party during the period, the date provided in the To column will be the date on which you left the party.</i>
Registered name or names of each registered political party	The dates during the 12 months period when you were a member (using the format dd/mm/yyyy to dd/mm/yyyy)				
	<ul style="list-style-type: none"> <i>Party list candidates do not need to include details of the registered political party upon whose list they appear as a candidate.</i> <i>If you were a member of a party at the start of the period, the date provided in the From column will be the start of the period.</i> <i>If you joined a party during the period, the date provided in the From column will be the date you joined the party.</i> <i>If you ceased to be a member of a party during the period, the date provided in the To column will be the date on which you left the party.</i> 				

	<ul style="list-style-type: none"> If you remain a member of a party when you sign the form, you can insert “now” in the To column instead of a date. 	
	From	To

Section 4: Declarations (see note 4)

Complete and sign the following consent and declarations.

I hereby consent to my nomination as a candidate at the above-mentioned election.

I declare that to the best of my knowledge and belief I am not disqualified from being elected as a Senedd Cymru member under section 16(A1) of the Government of Wales Act 2006 (disqualification from being a member of Senedd Cymru).

I also declare that I am registered as a local government elector for the area of [insert the name of the county or county borough council] on the day on which I complete this consent form and will continue to be registered on the day of election.

[Individual candidates]*

I also declare that I am not—

(a) a party list candidate in the election for the above constituency, nor

(b) an individual or party list candidate at an election for any other constituency, the poll for which is to be held on the same day as the poll for the election to which this consent relates.

[Party list candidates]*

I also declare that I am not—

(a) an individual candidate in the election for the above constituency, nor

(b) an individual or party list candidate at an election for any other constituency, the poll for which is to be held on the same day as the poll for the election to which this consent relates.

**Delete as appropriate*

Section 5: Candidate’s signature to consent to nomination and attestation by witness

Candidate’s signature to declarations:	
Date of signature:	
Signed in the presence of a witness:	[Name of witness]
Signature of witness:	

Notes to the consent to nomination

Note 1: A person will not be validly nominated unless their consent to nomination is—

(a) given and dated in writing on, or within 1 month before, the day fixed as the last day for delivery of nomination papers,

- (b) is attested by a witness, and
- (c) delivered at the place and within the time for the delivery of nomination papers, or is delivered electronically to an electronic address for that purpose.

Note 2: The date to be given here is the date on which the poll is to take place.

Note 3: The requirements for statements of party membership are set out in rule 10 of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025.

Note 4: The first two declarations reflect the requirements set out in section 16(A1) of the Government of Wales Act 2006 which prescribes the circumstances in which (by reference to Schedule 1A to that Act) a person is disqualified from being a member of Senedd Cymru and from being a candidate to be a member of the Senedd. The second declaration relates to paragraph 8 of Schedule 1A to the Government of Wales Act 2006 which prescribes that a person may not be a member of Senedd Cymru or a candidate to be a member of Senedd Cymru unless they are registered in the register of local government electors at an address within a Senedd constituency.

The third declaration reflects the requirements in section 7 of the Government of Wales Act 2006 which prescribes that a person may only stand once as a candidate at a general election. As such a party list candidate may only be included on one party list, and may not be included on any other list (whether in the same constituency or another). A party list candidate may also not stand as an individual candidate (again, whether in the same constituency or another). Similarly, a person may not be an individual candidate if they also appear on any party list, or as an individual candidate in any other constituency.

Ffurf 12
Papur pleidleisio

Rheol 26(3)(a) o Atodlen 5

Etholiad i Senedd Cymru Papur pleidleisio ar gyfer Aelodau Senedd Cymru ar gyfer etholaeth	Senedd Cymru election Ballot paper to elect the Senedd Cymru members for the constituency
Pleidleisiwch unwaith yn unig drwy roi croes [X] yn y bocs pleidleisio gyferbyn â'ch dewis	Vote only once by putting a cross [X] in the voting box next to your choice

Plaid Effeithlonrwydd Cymru / Welsh Efficiency Party

1. David Brandon
2. Paul David Evans
3. Rhiannon Thomas
4. Rhys Morgan
5. Claire Williams
6. Mushaq Singh
7. Heather Painter
8. Joan Hazel Smith

Arwyddlun

Plaid Gwella'r Gyfraith
Etholiadol / Electoral Law Improvement Party

1. Lowri Roberts
2. Stephen Jones
3. Trisha Phillips
4. Wendy Pelham
5. Dylan Jones
6. William Richards
7. Kate Walker
8. Margaret Sullivan

Arwyddlun

Plaid Cyfraith Dda / Good Law Party

1. Tony John Fisher
2. Charles Cook
3. Bethan Hughes
4. Dafydd Matthews
5. Ceri Brown

Arwyddlun

- ## 6. Iqbal Khan

7. Margaret Davies

8. Paula Katie Smith

Plaid Hybu Moeseg mewn

Llywodraeth / Promotion of Ethics in Government Party

- ## 1. Catrin Lewis

2. Fiona Chambers

3. Alwyn Griffiths

4. Shekeer Mohammed

5. Rhian Helen Collins

6. Megan Dixon

7. Janice Farr

8. Cerys Singer

Arwyddlun

XAVIER Alfonso

Annibynnol / Independent

Ffurf cefn y papur pleidleisio

Rhif

Number

Marc adnabod unigryw

Unique identifying mark

Etholiad ar gyfer etholaeth.....

..... ar

.....

Election for the

..... constituency on

.....

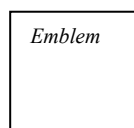
Form 12
Ballot paper

Rule 26(3)(a) of Schedule 5

Etholiad i Senedd Cymru Papur pleidleisio ar gyfer ethol Aelodau Senedd Cymru ar gyfer etholaeth	Senedd Cymru election Ballot paper to elect the Senedd Cymru members for the constituency
Pleidleisiwch unwaith yn unig drwy roi croes [X] yn y bocs pleidleisio gyferbyn â'ch dewis	Vote only once by putting a cross [X] in the voting box next to your choice

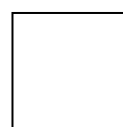
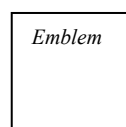
Plaid Effeithlonrwydd Cymru / Welsh Efficiency Party

1. David Brandon
2. Paul David Evans
3. Rhiannon Thomas
4. Rhys Morgan
5. Claire Williams
6. Mushaq Singh
7. Heather Painter
8. Joan Hazel Smith



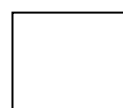
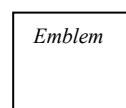
Plaid Gwella'r Gyfraith
Etholiadol /Electoral Law Improvement Party

1. Lowri Roberts
2. Stephen Jones
3. Trisha Phillips
4. Wendy Pelham
5. Dylan Jones
6. William Richards
7. Kate Walker
8. Margaret Sullivan



Plaid Cyfraith Dda / Good Law Party

1. Tony John Fisher
2. Charles Cook
3. Bethan Hughes
4. Dafydd Matthews
5. Ceri Brown
6. Iqbal Khan



7. Margaret Davies
8. Paula Katie Smith

**Plaid Hybu Moeseg mewn
Llywodraeth / Promotion of Ethics in Government Party**

1. Catrin Lewis
2. Fiona Chambers
3. Alwyn Griffiths
4. Shekeer Mohammed
5. Rhian Helen Collins
6. Megan Dixon
7. Janice Farr
8. Cerys Singer

Emblem



XAVIER Alfonso

Annibynnol / Independent



Form of back of ballot paper

Rhif

Number

Marc adnabod unigryw

Unique identifying mark

Etholiad ar gyfer etholaeth

Election for the.....

.....

.....constituency on

ai

.....

.....

Ffurf 13

Cyfarwyddiadau ar gyfer argraffu'r papur pleidleisio

Rheol 26(3)(b) o Atodlen 5

1. Ni chaniateir argraffu dim ar y papur pleidleisio ac eithrio yn unol â'r cyfarwyddiadau hyn.
2. I'r graddau y bo'n ymarferol, rhaid dilyn y cyfarwyddiadau ym mharagraffau 3 i 18 wrth argraffu'r papur pleidleisio.
3. Ni chaniateir argraffu gair ar flaen y papur pleidleisio ac eithrio—
 - (a) y penawdau "Etholiad i Senedd Cymru", "Senedd Cymru Election",
 - (b) yn union o dan y penawdau, y geiriau "Papur pleidleisio ar gyfer ethol Aelodau Senedd Cymru ar gyfer etholaeth", "Ballot paper to elect the Senedd Cymru Members for the constituency",
 - (c) y cyfarwyddyd, "Pleidleisiwch unwaith yn unig drwy roi croes [X] yn y bocs pleidleisio gyferbyn â'ch dewis", "Vote only once by putting a cross [X] in the voting box next to your choice",
 - (d) manylion y pleidiau gwleidyddol cofrestredig ac enwau'r ymgeiswyr sydd wedi eu cynnwys ar restrau'r pleidiau hynny fel y dangosir yn y datganiad o'r pleidiau a'r personau a enwebwyd,
 - (e) rhif ar gyfer pob ymgeisydd sydd ar restr plaid,
 - (f) manylion ymgeiswyr unigol, ac
 - (g) geiriau sy'n rhan o'r arwyddluniau cofrestredig a grybwyllir ym mharagraff 12.
4. Rhaid argraffu blwch o gwmpas—
 - (a) y geiriau yn Gymraeg y cyfeirir atynt ym mharagraff 3(a) a (b), a
 - (b) y cyfarwyddyd yn Gymraeg y cyfeirir ato ym mharagraff 3(c),a rhaid i'r pennawd hwnnw a'r cyfarwyddyd hwnnw fod wedi eu gwahanu o fewn y blwch gan linell lorweddol sy'n ymestyn ar ei draws.
5. Rhaid argraffu blwch o gwmpas—
 - (a) y geiriau yn Saesneg y cyfeirir atynt ym mharagraff 3(a) a (b), a
 - (b) y cyfarwyddyd yn Saesneg y cyfeirir ato ym mharagraff 3(c),a rhaid i'r pennawd hwnnw a'r cyfarwyddyd hwnnw fod wedi eu gwahanu o fewn y blwch gan linell lorweddol sy'n ymestyn ar ei draws.
- 6.—(1) Mae'r cyfarwyddyd hwn yn gwneud darpariaeth mewn cysylltiad â'r blychau a grybwyllir ym mharagraffau 4 a 5.
 - (2) Rhaid i'r grŵp o eiriau Cymraeg sydd yn y blwch ar y chwith, a'r grŵp o eiriau Saesneg sydd yn y blwch ar y dde, fod wedi eu halinio'n llorweddol â'i gilydd.
 - (3) Caniateir gwrthdroi safle'r ddau flwch fel bod y blwch sydd â'r geiriau Cymraeg ar y dde a'r blwch sydd â'r geiriau Saesneg ar y chwith.
7. Ni chaniateir argraffu llinell ar flaen y papur pleidleisio ac eithrio—
 - (a) fel rhan o'r blychau y cyfeirir atynt ym mharagraffau 4 a 5,
 - (b) y llinellau llorweddol y cyfeirir atynt yn y paragraffau hynny,
 - (c) llinell lorweddol uwchben manylion y blaid wleidyddol gofrestredig gyntaf neu fanylion ymgeisydd unigol,
 - (d) y llinellau llorweddol sy'n gwahanu manylion y pleidiau a manylion ymgeiswyr unigol oddi

wrth ei gilydd,

- (e) y llinell lorweddol o dan y blaid neu'r ymgeisydd unigol y mae ei manylion neu ei fanylion yn ymddangos yn olaf, ac
- (f) fel rhan o'r blychau ar ochr dde'r papur pleidleisio lle y mae'r bleidlais i'w marcio.

8. Rhaid i'r llinellau llorweddol y cyfeirir atynt ym mharagraff 7(c), (d) ac (e) fod â bylchau cyfartal rhyngddynt a rhaid i'r bwlch rhwng pob un ohonynt fod yn 2.5 centimetr o leiaf.

9. Rhaid i bob un o'r llinellau llorweddol y cyfeirir atynt ym mharagraff 7(c) a (d) ymestyn o bwynt sy'n lefel â'r testun ar ochr chwith y dudalen hyd at bwynt sy'n uniongyrchol uwchben canol y blwch sydd islaw'r llinell honno.

10. Rhaid i'r llinellau llorweddol y cyfeirir atynt ym mharagraff 7(e)—

- (a) ymestyn o bwynt sy'n lefel â'r testun sydd ar ochr chwith y dudalen hyd at bwynt sy'n uniongyrchol islaw ymyl dde'r blwch sydd uwchben y llinell honno, a
- (b) bod yn fwy trwchus na'r llinellau llorweddol eraill.

11. Ni chaiff y blychau y cyfeirir atynt ym mharagraff 7(f) gyffwrdd ag unrhyw linell lorweddol a rhaid i bob un fod yr un mor bell oddi wrth y llinell lorweddol sydd uwchlaw iddo a'r llinell lorweddol sydd islaw iddo.

12. Pan fo arwyddlun cofrestredig i'w argraffu yn erbyn manylion plaid wleidyddol gofrestredig—

- (a) rhaid ei argraffu yn gyfagos i restr ymgeiswyr y blaid ac i'r dde ohoni, a
- (b) ni chaiff ei faint fel y'i hargreffir fod yn fwy na 2 centimetr sgwâr.

13. Rhaid i'r holl eiriau ar flaen y papur pleidleisio ymddangos yn yr un print mawr ac eithrio—

- (a) rhaid i'r penawdau y cyfeirir atynt ym mharagraff 3(a) ymddangos mewn print mawr iawn a thrwm,
- (b) yn y cyfarwyddyd y cyfeirir ato ym mharagraff 3(c), rhaid i'r geiriau “unwaith yn unig” ac “only once” ymddangos mewn print mawr iawn a thrwm,
- (c) rhaid i weddill y cyfarwyddyd hwnnw ymddangos mewn print mawr iawn,
- (d) rhaid i fanylion y pleidiau gwleidyddol cofrestredig ymddangos mewn print trwm, ac
- (e) rhaid i fanylion yr ymgeiswyr unigol ymddangos mewn print trwm.

14. Rhaid i enwau'r ymgeiswyr ar unrhyw restr plaid y cyfeirir atynt ym mharagraff 3(d) ymddangos mewn print llai nag enw'r blaid ei hun, ac mewn llythrennau bach gyda phriflythrennau cychwynnol.

15. Rhaid i gyfenwau ymgeiswyr unigol ymddangos mewn priflythrennau a rhaid i enwau eraill yr ymgeisydd fod mewn llythrennau bach gyda phriflythrennau cychwynnol.

16. Rhaid i'r ymgeiswyr rhestr plaid—

- (a) ymddangos yn yr un drefn ag ar restr ymgeiswyr y blaid a rhaid iddynt gael eu rhifo yn y drefn honno,
- (b) ymddangos mewn teip arferol, ac
- (c) cael eu trefnu mewn colofnau neu resi fel y mae'r swyddog canlyniadau yn meddwl sy'n briodol.

17. Ni chaniateir argraffu unrhyw eiriau ar gefn y papur pleidleisio ac eithrio'r geiriau—

- (a) “Rhif”, “Number”,
- (b) “Marc adnabod unigryw”, “Unique identifying mark”, ac
- (c) “Etholiad ar gyfer etholaeth [...] ar [...]”, Election for the [...] constituency on [...]”.

18. Rhaid i'r geiriau ym mharagraff 17 gael eu hargraffu yn agos at ei gilydd.

Form 13

Directions as to printing the ballot paper

Rule 26(3)(b) of Schedule 5

1. Nothing is to be printed on the ballot paper except in accordance with these directions.

2. So far as practicable, the directions in paragraphs 3 to 18 must be followed in the printing of the ballot paper.

3. No word may be printed on the front of the ballot paper except for—

- (a) the headings “Etholiad i Senedd Cymru”, “Senedd Cymru Election”,
- (b) immediately beneath the headings, the words “Papur pleidleisio ar gyfer ethol Aelodau Senedd Cymru ar gyfer etholaeth”, “Ballot paper to elect the Senedd Cymru members for the constituency”,
- (c) the direction, “Pleidleisiwch unwaith yn unig drwy roi croes [X] yn y bocs pleidleisio gyferbyn â’ch dewis”, “Vote only once by putting a cross [X] in the voting box next to your choice”,
- (d) the particulars of the registered political parties and the names of the candidates included on those parties’ lists as shown in the statement of parties and persons nominated,
- (e) a number for each candidate on a party list,
- (f) the particulars of individual candidates, and
- (g) words forming part of the registered emblems mentioned in paragraph 12.

4. A box must be printed around—

- (a) the words in Welsh referred to in paragraph 3(a) and (b), and
- (b) the direction in Welsh referred to in paragraph 3(c),

and that heading and direction must be separated within the box by a horizontal line extending across it.

5. A box must be printed around—

- (a) the words in English referred to in paragraph 3(a) and (b), and
- (b) the direction in English referred to in paragraph 3(c),

and that heading and direction must be separated within the box by a horizontal line extending across it.

6.—(1) This direction makes provision in respect of the boxes mentioned in paragraphs 4 and 5.

(2) The group of words in Welsh in the box to the left and the group of words in English in the box to the right must be aligned horizontally.

(3) The position of the two boxes may be reversed so that the box with the Welsh words are to the right and the box with the English words are to the left.

7. No line may be printed on the front of the ballot paper except—

- (a) as part of the boxes referred to in paragraphs 4 and 5,
- (b) the horizontal lines referred to in those paragraphs,
- (c) a horizontal line above the particulars for the first registered political party or individual candidate,
- (d) the horizontal lines separating the particulars of the parties and individual candidates from one another,
- (e) the horizontal line beneath the party or individual candidate whose particulars appear last, and

- (f) as part of the boxes on the right-hand side of the ballot paper where the vote is to be marked.
- 8.** The horizontal lines referred to in paragraph 7(c), (d) and (e) must be equally spaced and the space between each of them must be a minimum of 2.5 centimetres.
- 9.** The horizontal lines referred to in paragraph 7(c) and (d) must extend from a point level with the text on the left-hand side of the page to a point directly above the centre of the box below that line.
- 10.** The horizontal lines referred to in paragraph 7(e) must—
- (a) extend from a point level with the text on the left-hand side of the page to a point directly below the right-hand edge of the box above that line, and
 - (b) be thicker than the other horizontal lines.
- 11.** The boxes referred to in paragraph 7(f) must not touch any horizontal line and each one must be equidistant between the horizontal line above it and the horizontal line below it.
- 12.** Where a registered emblem is to be printed against a registered political party's particulars—
- (a) it must be printed adjacent to and to the right of the party's list of candidates, and
 - (b) its size as printed must not exceed 2 centimetres square.
- 13.** All the words on the front of the ballot paper must appear in the same large type except that—
- (a) the headings referred to in paragraph 3(a) must appear in very large and bold type,
 - (b) in the direction referred to in paragraph 3(c), the words “unwaith yn unig” and “only once” must appear in very large and bold type,
 - (c) the remainder of that direction must appear in very large type,
 - (d) the particulars of the registered political parties must appear in bold type, and
 - (e) the particulars of the individual candidates must appear in bold type.
- 14.** The names of the candidates on any party list referred to in paragraph 3(d) must appear in smaller type than the name of the party itself, and in lower case with initial capitals.
- 15.** The surname of individual candidates must appear in capitals and the candidate's other names must be in lower case with initial capitals.
- 16.** The names of the party list candidates must—
- (a) appear in the same order as on the party's list of candidates and they must be numbered in that order,
 - (b) appear in ordinary type, and
 - (c) be arranged in columns or rows as the returning officer thinks appropriate.
- 17.** No words may be printed on the back of the ballot paper except for the words—
- (a) “Rhif”, “Number”,
 - (b) “Marc adnabod unigryw”, “Unique identifying mark”, and
 - (c) “Etholiad ar gyfer etholaeth [...] ar [...]”, Election for the [...] constituency on [...].
- 18.** The words in paragraph 17 must be printed close to each other.

Rhestr rhifau cyfatebol: Rhan 1

Rhestr rhifau cyfatebol: Rhan 1 (i'w chwblhau mewn cysylltiad â phapurau pleidleisio sydd i'w dyroddi i bleidleiswyr drwy'r post)
Rhestr rhifau cyfatebol: Rhan 1
Etholaeth Senedd:
Dyddiad y pôl:
Rhif y ddalen*:

[illegible]

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(i'w chwblhau mewn cysylltiad â phapurau pleidleisio sydd i'w darparu mewn gorsafoedd pleidleisio)

Etholaeth Senedd:

Dyddiad y pôl:

Gorsaf bleidleisio:

Rhif y ddalen*:

[illegible]

*Rhaid rhifo pob dalen a ddefnyddir a rhaid i bob dalen gynnwys yr holl benawdau a nodir yn nhair rhes gyntaf y Ffurf hon.

Form 14

Corresponding number list: Part 1

Rule 27(5) of Schedule 5

<p>Corresponding number list: Part 1</p> <p>(to be completed in respect of ballot papers to be issued to postal voters)</p>
<p style="text-align: center;">Corresponding number list: Part 1</p> <p>Senedd constituency:</p> <p>Date of poll:</p> <p>Sheet number*:</p>

[illegible]

*Each sheet that is used must be numbered and must contain all the headings set out in the first three rows of this Form.

Corresponding number list: Part 2

(to be completed in respect of ballot papers to be provided at polling stations)

Senedd constituency:

Date of poll:

Polling station:

Sheet number*:

[illegible]

*Each sheet that is used must be numbered and must contain all the headings set out in the first three rows of this Form.

Ffurf 15
Ffurf y cerdyn pleidleisio ar gyfer etholwyr

Rheol 36(4) o Atodlen 5

Cerdyn pleidleisio swyddogol (i'w anfon at etholwr neu i'w ddanfôn at etholwr sy'n pleidleisio'n bersonol)

Blaen y cerdyn

Cerdyn pleidleisio swyddogol

Etholiad i Senedd Cymru
Etholaeth Senedd:
Diwrnod y pôl:
Oriau pleidleisio: 7 a.m. i 10 p.m.
Eich gorsaf bleidleisio chi fydd:

Rhif ar y gofrestr:

*Enw:

*Cyfeiriad:

****Sylwer:** Rhaid hepgor yr enw a'r cyfeiriad pan fo'r cerdyn pleidleisio'n cael ei anfon at etholwr neu ei ddanfôn at etholwr sydd â chofnod dienw. Rhaid anfon neu ddanfôn cerdyn pleidleisio a anfonir neu a ddanfônir at etholwr sydd â chofnod dienw mewn amlen sydd wedi ei selio.

***Cerdyn er gwybodaeth yn unig yw hwn. Cewch bleidleisio hebddo ond bydd yn arbed amser ichi os ewch chi ag ef i'r orsaf bleidleisio a'i ddangos i'r clerc yno.**

Gweler rhagor o wybodaeth ar gefn y cerdyn hwn.

Cefn y cerdyn

Etholiad i Senedd Cymru

*Pan ewch chi i'r orsaf bleidleisio, dywedwch eich enw a'ch cyfeiriad, fel y'u dangosir ar flaen y cerdyn hwn, wrth y clerc.

*Bydd y clerc yn cadarnhau eich manylion ar y gofrestr.

Pan roddir eich papur pleidleisio ichi, ewch i un o'r bythau pleidleisio. Pleidleisiwch drwy roi croes [x] yn y boes pleidleisio gyferbyn â'ch dewis.

Pleidleisiwch UNWAITH yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Os byddwch yn difetha'r papur pleidleisio drwy gamgymeriad, dangoswch ef i'r swyddog llywyddu a gofyn am un newydd.

Pan fyddwch wedi marcio'r papur pleidleisio, plygwch ef yn ddau.

Dangoswch y rhif a'r marc adnabod unigryw arall ar gefn y papur pleidleisio i'r swyddog llywyddu ond peidiwch â gadael i neb weld eich pleidlais. Rhowch y papur pleidleisio yn y blwch pleidleisio a gadewch yr orsaf bleidleisio.

Os byddwch i ffwrdd ar ddyddiad y pôl, mae ffyrdd eraill o bleidleisio.

(1) Cewch wneud cais i bleidleisio drwy'r post. Rhaid i'ch cais ddod i law'r swyddog canlyniadau cyn 5 p.m. ar [rhowch y dyddiad cau]. Os rhoddir pleidlais drwy'r post ichi, ni fydd gennych yr hawl i bleidleisio'n bersonol yn yr etholiad hwn.

(2) Cewch wneud cais i bleidleisio drwy ddirprwy (mae hyn yn golygu y caiff rhywun bleidleisio ar eich rhan). Fel arfer, rhaid i'ch cais ddod i law cyn 5 p.m. ar [rhowch y dyddiad cau]. Os ydych yn penodi dirprwy, rydych yn dal yn cael pleidleisio yn yr etholiad hwn eich hun os gwnewch chi hynny cyn i'ch dirprwy bleidleisio ar eich rhan.

Mewn rhai amgylchiadau, efallai y bydd yn bosibl gwneud cais i bleidleisio drwy ddirprwy ar ôl [rhowch y dyddiad cau].

Mae'n drosedd gwneud unrhyw un neu ragor o'r canlynol—

- Pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.
- Pleidleisio fel dirprwy yn yr un etholiad ar ran dau berson neu ragor oni bai eich bod yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu yn nain/mam-gu, yn frawd, yn chwaer, yn blentyn, yn ŵyr neu'n wyres iddynt.
- Pleidleisio fel dirprwy ar ran person os ydych yn gwybod bod y person yn destun anghymhwyster cyfreithiol i bleidleisio.

Os hoffech chi bleidleisio drwy'r post neu drwy ddirprwy, cysylltwch â [rhowch rif y llinell gymorth] cyn gynted â phosibl.

Dyrodwyd gan y swyddog canlyniadau

Testun amgen pan fo gan yr etholwr gofnod dienw

****Pan fo'r cerdyn pleidleisio yn cael ei anfon at etholwr neu ei ddanfôn at etholwr sydd â chofnod dienw, yn lle'r paragraffau ar flaen a chefn y cerdyn hwn sydd wedi eu marcio â dwy seren, rhowch y paragraffau a ganlyn:**

Rhaid ichi gael y cerdyn hwn gyda chi pan fyddwch yn pleidleisio. Ni chewch bleidleisio hebddo. Pan ewch chi i'r orsaf bleidleisio, gofynnwch am gael siarad â'r swyddog llywyddu a dangoswch y cerdyn hwn iddo.

Bydd y swyddog llywyddu yn cadarnhau eich cofnod ar y gofrestr.

Form 15

Elector's form of poll card

Rule 36(4) of Schedule 5

Official poll card (to be sent or delivered to an elector voting in person)

Front of card

Official poll card

Senedd Cymru Election

Senedd constituency:

Polling day:

Polling hours: 7 a.m. to 10 p.m.

Your polling station will be:

Number on register:

*Name:

*Address:

****Note:** The name and address must be omitted where the poll card is sent or delivered to an elector with an anonymous entry. A poll card sent or delivered to an elector with an anonymous entry must be sent or delivered in a sealed envelope.

***This card is for information only. You can vote without it but it will save you time if you take it to the polling station and show it to the clerk there.**

See further information on the back of this card.

Back of card

Senedd Cymru Election

*When you go to the polling station, tell the clerk your name and address, as shown on the front of this card.

*The clerk will confirm your details on the register.

When you are given your ballot paper, go to one of the polling booths. Vote by putting a cross [x] in the voting box next to your choice.

Vote only ONCE on the ballot paper. Do not put any other mark on the ballot paper or your vote may not be counted.

If you spoil the ballot paper by mistake, show it to the presiding officer and ask for a replacement.

When you have marked the ballot paper, fold it in two.

Show the presiding officer the number and other unique identifying mark on the back of the ballot paper but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.

If you will be away on the date of the poll, there are other ways of voting.

(1) You can apply to vote by post. Your application must be received by the returning officer before 5 p.m. on [insert the deadline date]. If you are given a postal vote, you will not be entitled to vote in person at this election.

(2) You can apply to vote by proxy (this means someone can vote on your behalf). Your application must normally be received before 5 p.m. on [insert the deadline date]. If you appoint a proxy, you can still vote in this election yourself if you do so before your proxy has voted for you.

In certain circumstances, it may be possible to apply to vote by proxy after [insert the deadline date].

It is an offence to do any of the following—

- Vote more than once (unless you are appointed as proxy for another elector) at the same election.
- Vote as proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as proxy for a person if you know that the person is subject to a legal incapacity.

If you want to vote by post or proxy, please contact [insert helpline number] as soon as possible.

Issued by the returning officer

Alternative text where elector has an anonymous entry

****Where the poll card is sent or delivered to an elector with an anonymous entry substitute for the paragraphs on the front and back of this card marked with a double asterisk the following paragraphs:**

You must have this card with you when you vote. You cannot vote without it.

When you go to the polling station, ask to speak to the presiding officer and show them this card. The presiding officer will confirm your entry on the register.

Ffurf 16
Ffurf y cerdyn pleidleisio ar gyfer dirprwyon

Rheol 36(4) o Atodlen 5

Cerdyn pleidleisio swyddogol ar gyfer dirprwy (i'w anfon neu i'w ddanfôn at ddirprwy sy'n pleidleisio'n bersonol)

Blaen y cerdyn

Cerdyn pleidleisio swyddogol ar gyfer dirprwy

Etholiad i Senedd Cymru
Etholaeth Senedd:
Diwrnod y pôl:
Oriau pleidleisio: 7 a.m. i 10 p.m.
Eich gorsaf bleidleisio chi fydd:

*Cerdyn pleidleisio yw hwn i ddweud wrthyfch fod yr etholwr a enwir ar gefn y cerdyn hwn wedi'ch penodi'n ddirprwy ar ei ran ar gyfer yr etholiad hwn.
*Enw'r dirprwy:
*Cyfeiriad y dirprwy:
**Sylwer: Mae'r adran hon i'w hepgor pan fo'r cerdyn pleidleisio yn cael ei anfon neu ei ddanfôn at ddirprwy etholwr sydd â chofnod dienw. Rhaid anfon neu ddanfôn cerdyn pleidleisio a anfonir neu a ddanfônir at ddirprwy etholwr sydd â chofnod dienw mewn amlen sydd wedi ei selio.

***Cerdyn er gwybodaeth yn unig yw hwn. Cewch bleidleisio hebddo ond bydd yn arbed amser ichi os ewch ag ef i'r orsaf bleidleisio a'i ddangos i'r clerc yno.**

Gweler rhagor o wybodaeth ar gefn y cerdyn hwn.

Cefn y cerdyn

Etholiad i Senedd Cymru

***Cerdyn pleidleisio yw hwn i ddweud wrthyfch eich bod wedi'ch penodi, ar gyfer yr etholiad hwn, yn ddirprwy ar ran:**

*[Rhowch enw'r etholwr]

*[Rhowch gyfeiriad yr etholwr]

*[Rhowch yma rif yr etholwr ar y gofrestr]

*Pan ewch chi i'r orsaf bleidleisio, dywedwch wrth y clerc yr hoffech chi bleidleisio fel dirprwy ar ran yr etholwr a ddangosir uchod.

*Bydd y clerc yn cadarnhau'r manylion ar y gofrestr.

Pan roddir y papur pleidleisio ichi, ewch i un o'r bythau pleidleisio. Pleidleisiwch drwy roi croes [x] yn y bocs pleidleisio gyferbyn â dewis yr etholwr.

Pleidleisiwch UNWAITH yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.

Os byddwch yn difetha'r papur pleidleisio drwy gamgymeriad, dangoswch ef i'r swyddog llywyddu a gofynnwch am un newydd.

Pan fyddwch wedi marcio'r papur pleidleisio, plygwch ef yn ddau.

Dangoswch y rhif a'r marc adnabod unigryw arall ar gefn y papur pleidleisio i'r swyddog llywyddu ond peidiwch â gadael i neb weld y bleidlais. Rhowch y papur pleidleisio yn y blwch pleidleisio a gadewch yr orsaf bleidleisio.

Caiff y person a'ch penododd yn ddirprwy bleidleisio yn yr etholiad hwn. Os hoffai wneud hynny, rhaid iddo bleidleisio'n bersonol cyn i chi bleidleisio ar ei ran.

Os byddwch i ffwrdd ar ddyddiad y pôl, cewch wneud cais i bleidleisio drwy'r post fel dirprwy. Rhaid i'ch cais ddod i law'r swyddog canlyniadau cyn 5 p.m. ar [rhowch y dyddiad cau]. Os rhoddir pleidlais drwy'r post drwy ddirprwy ichi, ni fydd gennych chi (ar ran yr etholwr) na'r etholwr yr hawl i bleidleisio'n bersonol yn yr etholiad hwn.

Mae'n drosedd gwneud unrhyw un neu ragor o'r canlynol—

- Pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.
- Pleidleisio fel dirprwy yn yr un etholiad ar ran dau berson neu ragor oni bai eich bod yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu'n nain/mam-gu, yn frawd, yn chwaer, yn blentyn, yn ŵyr neu'n wyres iddynt.
- Pleidleisio fel dirprwy ar ran person os ydych yn gwybod bod y person yn destun anghymhwyster cyfreithiol i bleidleisio.

Os oes amoch angen unrhyw gymorth, ffoniwch ein llinell gymorth ar [rhowch rif y llinell gymorth].

Dyroddwyd gan y swyddog canlyniadau

Testun amgen pan fo gan yr etholwr gofnod dienw

****Pan fo'r cerdyn pleidleisio yn cael ei anfon neu ei ddanfôn at ddirprwy etholwr sydd â chofnod dienw, yn lle'r paragraffau ar flaen a chefn y cerdyn hwn sydd wedi eu marcio â dwy seren, rhowch y paragraffau a ganlyn:**

Rhaid ichi gael y cerdyn hwn gyda chi pan fyddwch yn pleidleisio. Ni chewch bleidleisio fel dirprwy hebdo.

Mae gennych yr hawl i bleidleisio fel dirprwy ar ran yr etholwr y dangosir ei rif etholiadol isod:
[Rhowch yma rif yr etholwr ar y gofrestr]

Er mwyn pleidleisio fel dirprwy, rhaid ichi fynd i'r orsaf bleidleisio a ddangosir ar flaen y cerdyn hwn. Gofynnwch am gael siarad â'r swyddog llywyddu a dangoswch y cerdyn hwn iddo. Bydd y swyddog llywyddu yn cadarnhau'r manylion ar y gofrestr.

Form 16

Proxy's form of poll card

Rule 36(4) of Schedule 5

Official proxy poll card (to be sent or delivered to a proxy voting in person)

Front of card

Official proxy poll card	
Senedd Cymru Election Senedd constituency: Polling day: Polling hours: 7 a.m. to 10 p.m. Your polling station will be:	*This poll card is to tell you that for this election the elector named on the back of this card has appointed you as their proxy. *Proxy's name: *Proxy's address: **Note: This section is to be omitted where the poll card is sent or delivered to the proxy of an elector with an anonymous entry. A poll card sent or delivered to the proxy of an elector with an anonymous entry must be sent or delivered in a sealed envelope.
*This card is for information only. You can vote without it but it will save you time if you take it to the polling station and show it to the clerk there.	
See further information on the back of this card.	

Back of card

Senedd Cymru Election
*This poll card is to tell you that for this election you are appointed as proxy for: *[Insert elector's name] *[Insert elector's address] *[Insert elector's number on register]
*When you go to the polling station, tell the clerk that you wish to vote as proxy on behalf of the elector shown above. *The clerk will confirm the details on the register.
When you are given the ballot paper, go to one of the polling booths. Vote by putting a cross [x] in the voting box next to the choice of the elector.
Vote only ONCE on the ballot paper. Do not put any other mark on the ballot paper or your vote may not be counted.
If you spoil the ballot paper by mistake, show it to the presiding officer and ask for a replacement.
When you have marked the ballot paper, fold it in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper but do not let anyone see the vote. Put the ballot paper in the ballot box and leave the polling station.
The person who appointed you as proxy may vote at this election. If they wish to do so, they must vote in person before you vote on their behalf.
If you will be away on the date of the poll, you can apply to vote by post as proxy. Your application

must be received by the returning officer before 5 p.m. on [insert the deadline date]. If you are given a proxy postal vote, neither you (on the elector's behalf) nor the elector will be entitled to vote in person at this election.

It is an offence to do any of the following—

- Vote more than once (unless you are appointed as proxy for another elector) at the same election.
- Vote as proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call our helpline on [insert helpline number].

Issued by the returning officer

Alternative text where elector has an anonymous entry

******Where the poll card is sent or delivered to the proxy of an elector with an anonymous entry substitute for the paragraphs on the front and back of this card marked with a double asterisk the following paragraphs:

You must have this card with you when you vote. You cannot vote as proxy without it.

You are entitled to vote as proxy for the elector whose electoral number is shown below:

[Insert elector's number on register]

To vote as proxy you must go to the polling station shown on the front of this card. Ask to speak to the presiding officer and show them this card. The presiding officer will confirm the details on the register.

Ffurf 17

Ffurf y cerdyn pleidleisio ar gyfer pleidleiswyr drwy'r post

Rheol 36(4) o Atodlen 5

Cerdyn swyddogol ar gyfer pleidleisio drwy'r post (i'w anfon at etholwr neu i'w ddanfon at etholwr sy'n pleidleisio drwy'r post)

Blaen y cerdyn

Cerdyn pleidleisio swyddogol ar gyfer pleidleisiwr drwy'r post

Etholiad i Senedd Cymru

Etholaeth Senedd:

Ar gyfer yr etholiad ar: [rhowch ddyddiad y pŵl]

Rhif ar y gofrestr:

*Enw a chyfeiriad:

*Sylwer: Rhaid hepgor yr enw a'r cyfeiriad pan fo'r cerdyn pleidleisio'n cael ei anfon at etholwr neu ei ddanfon at etholwr sydd â chofnod dienw. Rhaid anfon neu ddanfon cerdyn pleidleisio a anfonir neu a ddanfonir at etholwr sydd â chofnod dienw mewn amlen sydd wedi ei selio.

Cerdyn yw hwn i ddweud wrthy eich bod wedi gofyn am gael pleidleisio drwy'r post ar gyfer yr etholiad hwn, ac na fyddwch yn cael pleidleisio'n bersonol mewn gorsaf bleidleisio. Os hoffech chi ganslo'ch pleidlais drwy'r post, ffoniwch rif y llinell gymorth [rhowch rif y llinell gymorth] cyn 5 p.m. ar [rhowch y dyddiad cau].

Byddwn yn anfon neu'n danfon eich papurau pleidleisio drwy'r post o gwmpas [rhowch y dyddiad], wedi eu cyfeirio at [rhowch yr enw a'r cyfeiriad].

Os na fydd eich papurau pleidleisio drwy'r post wedi cyrraedd erbyn [rhowch y dyddiad], ffoniwch [rhowch rif y llinell gymorth] a gofynnwch am help.

Os byddwch yn colli neu'n difetha'ch papur pleidleisio drwy'r post yn ddamweiniol, ffoniwch rif y llinell gymorth a ddangosir uchod cyn gynted â phosibl. Dim ond cyn 5 p.m. ar [rhowch ddyddiad y pŵl] y gellir dyroddi papurau pleidleisio newydd.

Cerdyn i roi gwybodaeth ichi am bleidleisio drwy'r post yw hwn.

Gweler rhagor o wybodaeth ar gefn y cerdyn hwn.

Cefn y cerdyn

Etholiad i Senedd Cymru

Pan gewch chi eich pecyn pleidleisio drwy'r post, darllenwch y cyfarwyddiadau gydag ef yn ofalus wrth ichi gwblhau eich papur pleidleisio drwy'r post.

Peidiwch â gadael i neb weld eich pleidlais. Os oes arnoch angen help i bleidleisio, ni chaiff y person sy'n eich helpu ddweud wrth neb sut rydych chi wedi pleidleisio. Gallwch gael help annibynnol gan y swyddog canlyniadau drwy ffonio'r llinell gymorth ar [rhowch rif y llinell gymorth].

Rhaid ichi **lofnodi'r** datganiad pleidlais drwy'r post a **darparu'ch dyddiad geni**. Mesur diogelwch yw hwn. Ni fydd yn effeithio ar eich pleidlais nac yn golygu bod y ffordd y rhoesoch eich pleidlais yn hysbys. Heb eich llofnod a'ch dyddiad geni, ni fydd y datganiad yn ddilys ac ni fydd eich pleidlais yn cael ei chyfrif. Gall y swyddog canlyniadau groeswiro'ch llofnod a'ch dyddiad geni yn erbyn cofnodion eraill sydd ganddo.*

*Pan fo'r gofyniad ynglŷn â llofnod wedi ei hepgor, rhaid i'r swyddog canlyniadau gynnwys yn hytrach y paragraff a ganlyn:

Rhaid ichi **ddarparu'ch dyddiad geni**. Mesur diogelwch yw hwn. Ni fydd yn effeithio ar eich pleidlais nac yn golygu bod y ffordd y rhoesoch eich pleidlais yn hysbys. Heb eich dyddiad geni, ni fydd y datganiad yn ddilys ac ni fydd eich pleidlais yn cael ei chyfrif. Gall y swyddog canlyniadau

groeswiro'ch dyddiad geni yn erbyn cofnodion eraill sydd ganddo.

Cwblhewch eich pleidlais drwy'r post a'i dychwelyd cyn gynted â phosibl. Rhaid i'ch pleidlais drwy'r post ddod i law'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl]. Ar ôl eu cwblhau, cewch ddanfôn eich datganiad pleidlais drwy'r post a'ch papur pleidleisio mewn un o dair ffordd—

- Cewch eu hanfôn drwy'r post at y swyddog canlyniadau fel eu bod yn dod i law cyn 10 p.m. ar [rhowch ddyddiad y pôl].
- Cewch eu cyflwyno i'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl].
- Ar ddiwrnod y pôl, cewch eu danfôn i unrhyw orsaf bleidleisio yn yr etholaeth cyn 10 p.m.

Os hoffech chi bleidleisio'n bersonol yn yr etholiad, rhaid ichi ganslo'ch pleidlais drwy'r post cyn 5 p.m. ar [rhowch y dyddiad cau].

Mae'n drosedd gwneud unrhyw un neu ragor o'r canlynol—

- Pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.
- Pleidleisio fel dirprwy yn yr un etholiad ar ran dau berson neu ragor oni bai eich bod yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu'n nain/mam-gu, yn frawd, yn chwaer, yn blentyn, yn ŵyr neu'n wyres iddynt.
- Pleidleisio fel dirprwy ar ran person os ydych yn gwybod bod y person yn destun anghymhwyster cyfreithiol i bleidleisio.

Os oes arnoch angen unrhyw gymorth, ffoniwch y llinell gymorth ar [rhowch rif y llinell gymorth].

Dyroddwyd gan y swyddog canlyniadau

Form 17

Postal voter's form of poll card

Rule 36(4) of Schedule 5

Official postal poll card (to be sent or delivered to an elector voting by post)

Front of card

Official postal voter's poll card	
<p>Senedd Cymru Election Senedd constituency: For the election on: [insert date of poll] Number on register: *Name and address: *Note: The name and address must be omitted where the poll card is sent or delivered to an elector with an anonymous entry. A poll card sent or delivered to an elector with an anonymous entry must be sent or delivered in a sealed envelope.</p>	<p>This card is to tell you that you have asked to vote by post for this election, and you will not be able to vote in person in a polling station. If you want to cancel your postal vote please call the helpline number [insert helpline number] before 5 p.m. on [insert deadline date]. We will send or deliver your postal voting papers around [insert date], addressed to [insert name and address]. If your postal voting papers have not arrived by [insert date], please call [insert helpline number] and ask for help.</p>
<p>If you lose or accidentally spoil your postal ballot paper, please call the helpline number shown above as soon as possible. Replacement ballot papers can only be issued before 5 p.m. on [insert date of poll].</p> <p>This card is to provide you with information about voting by post. See further information on the back of this card.</p>	

Back of card

<p>Senedd Cymru Election</p> <p>When you receive your postal voting pack, please read the instructions with it carefully when completing your postal ballot paper.</p> <p>Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted. You can get independent help from the returning officer by calling the helpline on [insert helpline number].</p> <p>You must sign the postal voting statement and provide your date of birth. This is a security measure. It will not affect your vote or mean that the way in which you gave your vote is known. Without your signature and date of birth, the statement will not be valid and your vote will not be counted. The returning officer can cross-check your signature and date of birth against other records that they hold.*</p> <p>*Where the requirement for a signature has been waived, the returning officer must include the following paragraph instead:</p> <p>You must provide your date of birth. This is a security measure. It will not affect your vote or mean that the way in which you gave your vote is known. Without your date of birth, the statement will not be valid and your vote will not be counted. The returning officer can cross-check your date of birth against other records that they hold.</p> <p>Complete and return your postal vote as soon as possible. The returning officer must receive your postal vote before 10 p.m. on [insert date of the poll]. You can deliver your completed postal voting statement and ballot paper in one of three ways—</p> <ul style="list-style-type: none">• You can send them by post to the returning officer so that they are received before 10 p.m. on

[insert date of the poll].

- You can hand them to the returning officer before 10 p.m. on [insert date of the poll].
- On the day of the poll, you can deliver them to any polling station in the constituency before 10 p.m.

If you want to vote in person at the election, you must cancel your postal vote before 5 p.m. on [insert deadline].

It is an offence to do any of the following—

- Vote more than once (unless you are appointed as proxy for another elector) at the same election.
- Vote as proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call the helpline on [insert helpline number].

Issued by the returning officer

Ffurf 18

Ffurf y cerdyn pleidleisio ar gyfer dirprwyon sy'n pleidleisio drwy'r post

Rheol 36(4) o Atodlen 5

Cerdyn pleidleisio swyddogol ar gyfer dirprwyon sy'n pleidleisio drwy'r post (i'w anfon neu i'w ddanfôn at ddirprwy sy'n pleidleisio drwy'r post)

Blaen y cerdyn

Cerdyn pleidleisio swyddogol ar gyfer dirprwyon sy'n pleidleisio drwy'r post

<p>Etholiad i Senedd Cymru Etholaeth Senedd: Ar gyfer yr etholiad ar: [rhowch ddyddiad y pŵl] Enw a chyfeiriad y dirprwy:</p>	<p>*Cerdyn pleidleisio yw hwn i ddweud wrthyfch fod yr etholwr a enwir ar gefn y cerdyn hwn wedi'ch penodi'n ddirprwy iddo ar gyfer yr etholiad hwn a'ch bod chithau wedi penderfynu pleidleisio drwy'r post. Ni chewch bleidleisio ar ran yr etholwr mewn gorsaf bleidleisio. Os hoffech chi ganslo'r bleidlais drwy'r post hon a phleidleisio'n bersonol ar ddiwrnod y pŵl, ffoniwch y llinell gymorth isod cyn 5 p.m. ar [rhowch y dyddiad cau]. Byddwn yn anfon neu'n danfon y papurau pleidleisio drwy'r post drwy ddirprwy o gwmpas [rhowch y dyddiad]. Os na fydd y papurau pleidleisio drwy'r post drwy ddirprwy wedi cyrraedd erbyn [rhowch y dyddiad], ffoniwch [rhowch rif y llinell gymorth] a gofynnwch am help.</p>
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Os byddwch yn colli neu'n difetha papur pleidleisio drwy'r post yr etholwr yn ddamweiniol, ffoniwch rif y llinell gymorth a ddangosir uchod cyn gynted â phosibl. Dim ond cyn 5 p.m. ar [rhowch ddyddiad y pŵl] y gellir dyroddi papurau pleidleisio newydd.

Cerdyn yw hwn i roi gwybodaeth ichi am bleidleisio drwy'r post fel dirprwy.

Gweler rhagor o wybodaeth ar gefn y cerdyn hwn.

Cefn y cerdyn

Etholiad i Senedd Cymru

***Cerdyn pleidleisio yw hwn i ddweud wrthyfch eich bod wedi'ch penodi, ar gyfer yr etholiad hwn, yn ddirprwy ar ran yr etholwr a enwir isod a'ch bod chithau wedi penderfynu pleidleisio drwy'r post:**

*[Rhowch enw'r etholwr]

*[Rhowch gyfeiriad yr etholwr]

*[Rhowch rif yr etholwr ar y gofrestr]

Pan gewch chi'r pecyn pleidleisio drwy'r post, darllenwch y cyfarwyddiadau gydag ef yn ofalus wrth ichi gwblhau eich papur pleidleisio drwy'r post.

Peidiwch â gadael i neb weld y bleidlais. Os oes arnoch angen help i bleidleisio fel dirprwy, ni chaiff y person sy'n eich helpu ddweud wrth neb sut rydych chi wedi pleidleisio fel dirprwy. Gallwch gael help annibynnol gan y swyddog canlyniadau drwy ffonio'r llinell gymorth ar [rhowch rif y llinell gymorth].

Rhaid ichi **lofnodi'r** datganiad pleidlais drwy'r post a **darparu'ch dyddiad geni**. Mesur diogelwch yw hwn. Ni fydd yn effeithio ar y bleidlais nac yn golygu bod y ffordd y rhoesoch y bleidlais fel dirprwy

yn hysbys. Heb eich llofnod a'ch dyddiad geni, ni fydd y datganiad yn ddilys ac ni fydd y bleidlais yn cael ei chyfrif. Gall y swyddog canlyniadau groeswrio'ch llofnod a'ch dyddiad geni yn erbyn cofnodion eraill sydd ganddo.**

****Pan fo'r gofyniad ynglŷn â llofnod wedi ei hepgor, rhaid i'r swyddog canlyniadau gynnwys yn hytrach y paragraff a ganlyn.**

Rhaid ichi **ddarparu'ch dyddiad geni**. Mesur diogelwch yw hwn. Ni fydd yn effeithio ar y bleidlais nac yn golygu bod y ffordd y rhoesoch y bleidlais fel dirprwy yn hysbys. Heb eich dyddiad geni, ni fydd y datganiad yn ddilys ac ni fydd y bleidlais yn cael ei chyfrif. Gall y swyddog canlyniadau groeswrio'ch dyddiad geni yn erbyn cofnodion eraill sydd ganddo.

Cwblhewch y bleidlais drwy'r post a'i dychwelyd cyn gynted â phosibl. Rhaid i'r bleidlais drwy'r post ddod i law'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl]. Ar ôl eu cwblhau, cewch ddanfôn eich datganiad pleidlais drwy'r post a'r papur pleidleisio mewn un o dair ffordd—

- Cewch eu hanfon drwy'r post at y swyddog canlyniadau fel eu bod yn dod i law cyn 10 p.m. ar [rhowch ddyddiad y pôl].
- Cewch eu cyflwyno i'r swyddog canlyniadau cyn 10 p.m. ar [rhowch ddyddiad y pôl].
- Ar ddiwrnod y pôl, cewch eu danfon i unrhyw orsaf pleidleisio yn yr etholaeth cyn 10 p.m.

Os hoffech chi bleidleisio'n bersonol fel dirprwy yn yr etholiad, rhaid ichi ganslo'ch pleidlais drwy'r post cyn 5 p.m. ar [rhowch y dyddiad cau].

Mae'n drosedd gwneud unrhyw un neu ragor o'r canlynol—

- Pleidleisio fwy nag unwaith (oni bai eich bod wedi'ch penodi'n ddirprwy ar ran etholwr arall) yn yr un etholiad.
- Pleidleisio fel dirprwy yn yr un etholiad ar ran dau berson neu ragor oni bai eich bod yn briod, yn bartner sifil, yn rhiant, yn daid/tad-cu neu'n nain/mam-gu, un frawd, yn chwaer, yn blentyn, yn ŵyr neu'n wyres iddynt.
- Pleidleisio fel dirprwy ar ran person os ydych yn gwybod bod y person yn destun anghymhwyster cyfreithiol i bleidleisio.

Os oes arnoch angen unrhyw gymorth, ffoniwch y llinell gymorth ar [rhowch rif y llinell gymorth].

Dyroddwyd gan y swyddog canlyniadau

Testun amgen pan fo gan yr etholwr gofnod dienw

*Pan fo'r cerdyn pleidleisio yn cael ei anfon neu ei ddanfôn at ddirprwy etholwr sydd â chofnod dienw, yn lle'r paragraffau ar flaen a chefn y cerdyn hwn sydd wedi eu marcio â seren, rhowch y paragraffau a ganlyn:

Cerdyn pleidleisio yw hwn i ddweud wrthyh eich bod wedi'ch penodi, ar gyfer yr etholiad hwn, yn ddirprwy ar ran yr etholwr y dangosir ei rif etholiadol isod a'ch bod chithau wedi penderfynu pleidleisio drwy'r post.

Mae gennych yr hawl i bleidleisio fel dirprwy ar ran yr etholwr y dangosir ei rif etholiadol isod: [Rhowch yma rif yr etholwr ar y gofrestr]

Form 18

Proxy's postal form of poll card

Rule 36(4) of Schedule 5

Official proxy postal poll card (to be sent or delivered to a proxy voting by post)

Front of card

Official proxy postal poll card	
<p>Senedd Cymru Election Senedd constituency: For the election on: [insert date of poll] Proxy's name and address:</p>	<p>*This poll card is to tell you that for this election the elector named on the back of this card has appointed you as their proxy and you have decided to vote by post. You will not be able to vote on behalf of the elector in a polling station. If you want to cancel this postal vote and vote in person on polling day, please call the helpline shown below before 5 p.m. on [insert date of deadline]. We will send or deliver the proxy postal voting papers around [insert date]. If the proxy postal voting papers have not arrived by [insert date], please call [insert helpline number] and ask for help.</p>
<p>If you lose or accidentally spoil the elector's postal ballot paper, please call the helpline number shown above as soon as possible. Replacement ballot papers can only be issued before 5 p.m. on [insert date of the poll].</p>	
<p>This card is to provide you with information about voting by post as proxy. See further information on the back of this card.</p>	

Back of card

<p>Senedd Cymru Election</p> <p>*This poll card is to tell you that for this election you are appointed as proxy for the elector named below and you have decided to vote by post: *[Insert elector's name] *[Insert elector's address] *[Insert elector's number on register]</p> <p>When you receive the postal voting pack, please read the instructions with it carefully when completing the postal ballot paper.</p> <p>Do not let anyone see the vote. If you need help voting as proxy, the person helping you must not tell anyone how you have voted as proxy. You can get independent help from the returning officer by calling the helpline on [insert helpline number].</p> <p>You must sign the postal voting statement and provide your date of birth. This is a security measure. It will not affect the vote or mean that the way in which you gave the vote as proxy is known. Without your signature and date of birth, the statement will not be valid and the vote will not be counted. The returning officer can cross-check your signature and date of birth against other records that they hold.**</p> <p>**Where the requirement for a signature has been waived, the returning officer must include the following paragraph instead. You must provide your date of birth. This is a security measure. It will not affect the vote or mean that</p>

the way in which you gave the vote as proxy is known. Without your date of birth, the statement will not be valid and the vote will not be counted. The returning officer can cross-check your date of birth against other records that they hold.

Complete and return the postal vote as soon as possible. The returning officer must receive the postal vote before 10 p.m. on [insert date of the poll]. You can deliver your completed postal voting statement and the ballot paper in one of three ways—

- You can send them by post to the returning officer so that they are received before 10 p.m. on [insert date of the poll].
- You can hand them to the returning officer before 10 p.m. on [insert date of the poll].
- On the day of the poll, you can deliver them to any polling station in the constituency before 10 p.m.

If you want to vote in person as proxy at the election, you must cancel your postal vote before 5 p.m. on [insert deadline].

It is an offence to do any of the following—

- Vote more than once (unless you are appointed as proxy for another elector) at the same election.
- Vote as proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call the helpline on [insert helpline number].

Issued by the returning officer

Alternative text where the elector has an anonymous entry

*Where the poll card is sent or delivered to the proxy of an elector with an anonymous entry, substitute for the paragraphs on the front and back of this card marked with an asterisk the following paragraphs:

This poll card is to tell you that for this election you are appointed as proxy for the elector whose electoral number is shown below and you have decided to vote by post.

You are entitled to vote as proxy for the elector whose electoral number is shown below:

[Insert elector's number on register]

Ffurf 19

Ffurf cyfarwyddiadau i arwain y pleidleiswyr wrth bleidleisio

Rheol 37(10) o Atodlen 5

Canllawiau i bleidleiswyr

1. Pan roddir eich papur[au] pleidleisio i chi, ewch i un o'r bythau pleidleisio.
2. Darllenwch y cyfarwyddiadau y tu mewn i'r bwth a marciwch eich papur[au] pleidleisio.
3. Peidiwch â rhoi unrhyw farc arall ar y papur[au] pleidleisio neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
4. Plygwch y papur[au] pleidleisio yn ddau.
5. Dangoswch y rhif a'r marc adnabod unigryw arall ar gefn y papur[au] pleidleisio i'r swyddog llywyddu ond peidiwch â gadael i neb weld eich pleidlais.
6. Rhowch [y] [bob] papur pleidleisio yn y blwch pleidleisio [priodol] a gadewch yr orsaf bleidleisio.
7. Os byddwch yn difetha papur[au] pleidleisio drwy gamgymeriad, dangoswch [ef] [hwy] i'r swyddog llywyddu a gofyn am un newydd.

Mae pleidleisio yn gyfrinachol. Peidiwch â gadael i neb weld sut rydych chi wedi pleidleisio.

Os ydych chi'n gwneud camgymeriad neu os oes angen arnoch help, gofynnwch i'r staff.

Form 19

Form of directions for the guidance of voters in voting

Rule 37(10) of Schedule 5

Guidance for voters

1. When you are given your ballot paper[s], go to one of the polling booths.
2. Read the instructions inside the booth and mark your ballot paper[s].
3. Put no other mark on the ballot paper[s] or your vote may not be counted.
4. Fold the ballot paper[s] in two.
5. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper[s] but do not let anyone see your vote.
6. Put [the] [each] ballot paper in the [appropriate] ballot box and leave the polling station.
7. If you spoil a ballot paper[s] by mistake, show [it] [them] to the presiding officer and ask for a replacement.

Voting is secret. Do not let anyone see how you have voted.

If you make a mistake or need some help, just ask the staff.

Ffurf 20

Ffurf datganiad sydd i'w wneud gan gydymaith pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen

Rheol 48(5)(a) o Atodlen 5

Etholiad i Senedd Cymru

Rhan 1 – i'w chwblhau gan gydymaith y pleidleisiwr

Wrth gynorthwyo pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen:*

Yr wyf i [rhowch enw'r cydymaith] o [rhowch gyfeiriad y cydymaith], ar ôl cael cais i gynorthwyo [rhowch enw'r pleidleisiwr sy'n cael cymorth]**, sydd â rhif [rhowch rif y pleidleisiwr sy'n cael cymorth] ar y gofrestr, i roi ei bleidlais [ei phleidlais] yn yr etholiad i Senedd Cymru sy'n cael ei gynnal yn awr, drwy hyn yn datgan—

- fy mod wedi cyrraedd 16 oed;
- nad wyf wedi cynorthwyo unrhyw bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen i bleidleisio o'r blaen yn yr etholiad hwn [ac eithrio [rhowch enw a chyfeiriad unrhyw bleidleisiwr arall sydd wedi cael cymorth gan y cydymaith i bleidleisio yn yr etholiad]]* (*gweler y nodiadau*).

Llofnod y cydymaith:

Dyddiad:

Wrth gynorthwyo pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen sy'n pleidleisio fel dirprwy:*

Yr wyf i [rhowch enw'r cydymaith] o [rhowch gyfeiriad y cydymaith] ar ôl cael cais i gynorthwyo [rhowch enw'r pleidleisiwr sy'n cael cymorth] sy'n pleidleisio fel dirprwy ar ran [rhowch enw'r etholwr], sydd â rhif [rhowch rif yr etholwr] ar y gofrestr, i roi ei bleidlais [ei phleidlais] yn yr etholiad i Senedd Cymru sy'n cael ei gynnal yn awr, drwy hyn yn datgan—

- fy mod wedi cyrraedd 16 oed;
- nad wyf wedi cynorthwyo unrhyw bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen i bleidleisio o'r blaen yn yr etholiad hwn [ac eithrio [rhowch enw a chyfeiriad unrhyw bleidleisiwr arall sydd wedi cael cymorth gan y cydymaith i bleidleisio yn yr etholiad]]* (*gweler y nodiadau*).

Llofnod y cydymaith:

Dyddiad:

**dileer fel y bo'n briodol*

***nid yw enw'r pleidleisiwr i gael ei ychwanegu pan fydd gan y pleidleisiwr gofnod dienw. Yn hytrach, dim ond rhif y pleidleisiwr sydd i gael ei ychwanegu (*gweler y nodiadau*).*

Rhan 2 – i’w gwblhau gan y swyddog llywyddu

Yr wyf i, sy’n llofnodi isod, sef y swyddog llywyddu ar gyfer [rhowch enw’r orsaf bleidleisio] drwy hyn yn tystio bod y datganiad uchod wedi ei ddarllen i’r cydymaith ac wedi ei lofnodi gan y cydymaith yn fy mhresenoldeb i.

Llofnod y swyddog llywyddu:

Gorsaf bleidleisio:

Etholaeth:

Dyddiad:

Amser (yn union):

Nodiadau ar ffurf y datganiad sydd i’w wneud gan gydymaith pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen:

1. Rhif y pleidleisiwr yw rhif y person hwnnw yn y gofrestr sydd i’w defnyddio yn yr etholiad neu, hyd nes y cyhoeddir y gofrestr, rif y person hwnnw, os oes rhif, yn y rhestrau etholwyr ar gyfer y gofrestr honno. Mae rhif yr etholwr i’w weld ar y cerdyn pleidleisio a anfonwyd ato yn fuan ar ôl cyhoeddi’r etholiad neu gellir cysylltu â’r swyddog cofrestru i’w gadarnhau.
2. Caniateir i’r cydymaith fod wedi cynorthwyo un, a dim ond un, person arall i bleidleisio yn yr etholiad.
3. Mae’n drosedd cyfleu i unrhyw berson, ar unrhyw adeg, unrhyw wybodaeth am sut y mae’r pleidleisiwr yn bwriadu pleidleisio neu wedi pleidleisio(1).
4. Pan fo gan y pleidleisiwr gofnod dienw, dim ond rhif y pleidleisiwr yng nghopiau’r cofnodion cofrestru, ac nid enw’r pleidleisiwr, sydd i’w roi yn y rhestr o bleidleiswyr ag anableddau sy’n cael cymorth gan gymdeithion.

(1) Erthygl 35(6) a (7) o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Form 20

Form of declaration to be made by the companion of a voter with severe sight impairment or other disability or inability to read

Rule 48(5)(a) of Schedule 5

Senedd Cymru Election

Part 1 – to be completed by the voter's companion

When assisting a voter with severe sight impairment or other disability or inability to read:*

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted]**, whose number on the register is [insert number of voter being assisted], to give their vote at the Senedd Cymru election now being held, hereby declare that—

- I have attained the age of 16;
- I have not previously assisted any voter with severe sight impairment or other disability or inability to read to vote at this election [except [insert the name and address of any other voter who has been assisted by the companion to vote at the election]]* (*see notes*).

Signed by companion:

Date:

When assisting a voter with severe sight impairment or other disability or inability to read who is voting as proxy:*

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector], to give their vote at the Senedd Cymru election now being held, hereby declare that—

- I have attained the age of 16;
- I have not previously assisted any voter with severe sight impairment or other disability or inability to read to vote at this election [except [insert the name and address of any other voter who has been assisted by the companion to vote at the election]]* (*see notes*).

Signed by companion:

Date:

**delete as appropriate*

*** the name of the voter is not to be added when the voter has an anonymous entry. Instead, only the voter's number is to be added (*see notes*).*

Part 2 – to be completed by the presiding officer

I, the undersigned, being the presiding officer for [insert name of polling station] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Polling station:

Constituency of:

Date:

Time (exact):

Notes to the form of declaration to be made by the companion of a voter with severe sight impairment or other disability or inability to read:

1. The voter's number is that person's number in the register to be used at the election or, pending publication of the register, that person's number, if any, in the electors lists for that register. The voter's number can be found on the poll card which was sent to them shortly after the election was announced or can be checked by contacting the registration officer.
2. The companion may have assisted one, and only one, other person to vote at the election.
3. It is a criminal offence to communicate at any time to any person any information as to the way in which the voter intends to vote or has voted⁽¹⁾.
4. Where the voter has an anonymous entry, only the voter's number in the copies of the registration records, and not the voters name, is to be entered in the list of voters with disabilities assisted by companions.

⁽¹⁾ Article 35(6) and (7) of the Senedd Cymru (Representation of the People) Order 2025.

Ffurf 21

Ffurf datganiad sydd i'w wneud gan gydymaith i bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen pan fo polau yn cael eu cyfuno

Rheol 48(5)(a) o Atodlen 5
(fel y'i haddaswyd gan Atodlenni 3 a 4)

Etholiad i Senedd Cymru

***Etholiad cynghorwyr i [rhowch enw'r awdurdod lleol/cyngor cymuned]**

***Etholiad comisiynydd heddlu a throseddu ar gyfer ardal heddlu [rhowch enw'r ardal heddlu]**

Dyddiad yr etholiad:

Rhan 1 – i'w chwblhau gan gydymaith y pleidleisiwr

Wrth gynorthwyo pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen:**

Yr wyf i [rhowch enw'r cydymaith] o [rhowch gyfeiriad y cydymaith], ar ôl cael cais i gynorthwyo [rhowch enw'r pleidleisiwr sy'n cael cymorth]**, sydd â rhif [rhowch rif y pleidleisiwr sy'n cael cymorth] ar y gofrestr, i roi ei bleidlais [ei phleidlais] yn yr etholiad i Senedd Cymru ac yn [etholiad cynghorwyr i [rhowch enw'r awdurdod lleol/cyngor cymuned]] [etholiad comisiynydd heddlu a throseddu ar gyfer ardal heddlu [rhowch enw'r ardal heddlu]] sy'n cael ei gynnal yn awr, drwy hyn yn datgan—

- fy mod wedi cyrraedd 16 oed;
- nad wyf wedi cynorthwyo unrhyw bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen i bleidleisio o'r blaen yn yr etholiad hwn [ac eithrio [rhowch enw a chyfeiriad unrhyw bleidleisiwr arall sydd wedi cael cymorth gan y cydymaith i bleidleisio yn yr etholiad]]* (*gweler y nodiadau*).

Llofnod y cydymaith:

Dyddiad:

Wrth gynorthwyo pleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen sy'n pleidleisio fel dirprwy:**

Yr wyf i [rhowch enw'r cydymaith] o [rhowch gyfeiriad y cydymaith] ar ôl cael cais i gynorthwyo [rhowch enw'r pleidleisiwr sy'n cael cymorth] sy'n pleidleisio fel dirprwy ar ran [rhowch enw'r etholwr], sydd â rhif [rhowch rif yr etholwr] ar y gofrestr, i roi ei bleidlais [ei phleidlais] yn yr etholiad i Senedd Cymru ac yn [etholiad cynghorwyr i [rhowch enw'r awdurdod lleol/cyngor cymuned]] [etholiad comisiynydd heddlu a throseddu ar gyfer ardal heddlu [rhowch enw'r ardal heddlu]] sy'n cael ei gynnal yn awr, drwy hyn yn datgan—

- fy mod wedi cyrraedd 16 oed;
- nad wyf wedi cynorthwyo unrhyw bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen i bleidleisio o'r blaen yn yr etholiad hwn [ac eithrio [rhowch enw a chyfeiriad unrhyw bleidleisiwr arall sydd wedi cael cymorth gan y cydymaith i bleidleisio yn yr etholiad]]* (*gweler y nodiadau*).

(gweler y nodiadau).

Llofnod y cydymaith:

Dyddiad:

**dileer fel y bo'n briodol*

***nid yw enw'r pleidleisiwr i gael ei ychwanegu pan fydd gan y pleidleisiwr gofnod dienw. Yn hytrach, dim ond rhif y pleidleisiwr sydd i gael ei ychwanegu (gweler y nodiadau).*

Rhan 2 – i'w gwblhau gan y swyddog llywyddu

Yr wyf i, sy'n llofnodi isod, sef y swyddog llywyddu ar gyfer [rhowch enw'r orsaf bleidleisio] drwy hyn yn tystio bod y datganiad uchod wedi ei ddarllen i'r cydymaith ac wedi ei lofnodi gan y cydymaith yn fy mhresenoldeb i.

Llofnod y swyddog llywyddu:

Gorsaf bleidleisio:

Etholaeth:

Dyddiad:

Amser:

Nodiadau ar ffurf y datganiad sydd i'w wneud gan gydymaith i bleidleisiwr ag amhariad difrifol ar y golwg neu anabledd arall neu anallu i ddarllen

1. Rhif y pleidleisiwr yw rhif y person hwnnw yn y gofrestr sydd i'w defnyddio yn yr etholiad neu, hyd nes y cyhoeddir y gofrestr, rif y person hwnnw, os oes rhif, yn y rhestrau etholwyr ar gyfer y gofrestr honno. Mae rhif yr etholwr i'w weld ar y cerdyn pleidleisio a anfonwyd ato yn fuan ar ôl cyhoeddi'r etholiad neu gellir cysylltu â'r swyddog cofrestru i'w gadarnhau.
2. Caniateir i'r cydymaith fod wedi cynorthwyo un, a dim ond un, person arall i bleidleisio yn yr etholiad.
3. Mae'n drosedd cyfleu i unrhyw berson, ar unrhyw adeg, unrhyw wybodaeth am y ffordd y mae'r pleidleisiwr yn bwriadu pleidleisio neu wedi pleidleisio⁽¹⁾.
4. Pan fo gan y pleidleisiwr gofnod dienw, dim ond rhif y pleidleisiwr yng nghopïau'r cofnodion cofrestru, ac nid enw'r pleidleisiwr, sydd i'w roi yn y rhestr o bleidleiswyr ag anableddau sy'n cael cymorth gan gymdeithion.

(1) Erthygl 35(6) a (7) o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Form 21

Form of declaration to be made by the companion of a voter with severe sight impairment or other disability or inability to read where polls are combined

Rule 48(5)(a) of Schedule 5
(as modified by Schedules 3 and 4)

Senedd Cymru Election

***Election of councillors to [insert name of local authority/community council]**

***Election of police and crime commissioner for the police area of [insert name of police area]**

Date of election:

Part 1 – to be completed by the voter’s companion

When assisting a voter with severe sight impairment or other disability or inability to read:*

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted]**, whose number on the register is [insert number of voter being assisted], to give their vote at the Senedd Cymru election and at the [election of councillors to [insert name of local authority/community council]] [election of police and crime commissioner for the police area of [insert name of police area]] now being held, hereby declare that—

- I have attained the age of 16;
- I have not previously assisted any voter with severe sight impairment or other disability or inability to read to vote at this election [except [insert the name and address of any other voter who has been assisted by the companion to vote at the election]]* (*see notes*).

Signed by companion:

Date:

When assisting a voter with severe sight impairment or other disability or inability to read who is voting as proxy:*

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector], to give their vote at the Senedd Cymru election and at the [election of councillors to [insert name of local authority/community council]] [election of police and crime commissioner for the police area of [insert name of police area]] now being held, hereby declare that—

- I have attained the age of 16;
- I have not previously assisted any voter with severe sight impairment or other disability or inability to read to vote at this election [except [insert the name and address of any other voter who has been assisted by the companion to vote at the election]]* (*see notes*).

Signed by companion:

Date:

**delete as appropriate*

*** the name of the voter is not to be added when the voter has an anonymous entry. Instead, only the voter's number is to be added (see notes).*

Part 2 – to be completed by the presiding officer

I, the undersigned, being the presiding officer for [insert name of polling station] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Polling station:

Constituency of:

Date:

Time:

Notes to the form of declaration to be made by the companion of a voter with severe sight impairment or other disability or inability to read:

1. The voter's number is that person's number in the register to be used at the election or, pending publication of the register, that person's number, if any, in the electors lists for that register. The voter's number can be found on the poll card which was sent to them shortly after the election was announced or can be checked by contacting the registration officer.
2. The companion may have assisted one, and only one, other person to vote at the election.
3. It is a criminal offence to communicate at any time to any person any information as to the way in which the voter intends to vote or has voted(1).
4. Where the voter has an anonymous entry, only the voter's number in the copies of the registration records, and not the voters name, is to be entered in the list of voters with disabilities assisted by companions.

(1) Article 35(6) and (7) of the Senedd Cymru (Representation of the People) Order 2025.

Ffurf 22

Ffurf y dystysgrif sy'n datgan yr ymgeiswyr sydd i'w dychwelyd mewn etholiad

Rheol 64(6)(a) o Atodlen 5

Etholiad i Senedd Cymru

Tystiad gan y swyddog canlyniadau mewn cysylltiad ag ethol a dychwelyd aelodau dros un o etholaethau'r Senedd.

Rwy'n tystio drwy hyn mai'r personau a etholwyd ac a ddychwelwyd i Senedd Cymru i wasanaethu fel aelodau dros etholaeth yn yr etholiad a gynhaliwyd ar [dyddiad y pŵl] yw:

1. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]
2. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]
3. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]
4. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]
5. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]
6. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n gymwys]

Dyddiad:.....

Llofnod:.....

Swyddog canlyniadau

Form 22

Form of certificate declaring candidates to be returned at an election

Rule 64(6)(a) of Schedule 5

Senedd Cymru Election

Certification by the returning officer in respect of the election and return of members for a Senedd constituency.

I hereby certify that the persons elected and returned to Senedd Cymru to serve as members for theconstituency at the election held on *[date of poll]* are:

1. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>
2. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>
3. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>
4. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>
5. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>
6. <i>[Full name of member]</i>	<i>[Name of registered political party, if applicable]</i>

Date:.....

Signed:.....
Returning officer

Ffurf 23

Ffurf y dystysgrif: dychwelyd i sedd wag yn un o etholaethau'r Senedd

Rheol 75(11)(a) o Atodlen 5

Etholiad i Senedd Cymru

Tystiad gan y swyddog canlyniadau fod sedd wag yn un o etholaethau'r Senedd i'w llenwi yn rhinwedd adran 11(3) o Ddeddf Llywodraeth Cymru 2006.

Mae sedd wedi dod yn wag yn Etholaeth

Rwy'n tystio drwy hyn y bydd [rhowch enw'r darpar aelod] o [rhowch enw'r blaid wleidyddol gofrestredig] yn llenwi'r sedd wag yn Etholaeth [enw'r etholaeth].

Sylwer: *Darpar aelod yw'r person sydd, yn unol 75 o Atodlen 5 i Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025, wedi cydsynio i lenwi'r sedd wag, ac sy'n gymwys i wneud hynny.*

Dyddiad:.....

Llofnod:.....

Swyddog canlyniadau

Form 23

Form of certificate: Senedd constituency vacancy return

Rule 75(11)(a) of Schedule 5

Senedd Cymru Election

Certification by the returning officer that by virtue of Section 11(3) of Government of Wales Act 2006 a vacancy in a Senedd constituency is to be filled.

A vacancy has occurred in the..... constituency

I hereby certify that [insert name of prospective member] of the [insert name of registered political party] will fill the vacancy in the [insert name of constituency] constituency.

Note: *Prospective member is the person who, in accordance with rule 75 of Schedule 5 to the Senedd Cymru (Representation of the People) Order 2025, has consented to, and is eligible to, fill the vacancy.*

Date:.....

Signed:.....
Returning officer

Ffurf 24

Ffurf tystysgrif: sedd i barhau i fod yn wag tan etholiad cyffredinol nesaf Senedd Cymru

Rheol 75(1) a (15)(b) o Atodlen 5

Etholiad i Senedd Cymru

Tystiad gan y swyddog canlyniadau y bydd swydd wag yn un o etholaethau'r Senedd yn parhau i fod yn wag tan etholiad cyffredinol nesaf Senedd Cymru, yn rhinwedd adran 11(7) o Ddeddf Llywodraeth Cymru 2006.

Yn unol â darpariaeth adran 11(7) o Ddeddf Llywodraeth Cymru 2006 yr wyf drwy hyn yn tystio y bydd y sedd sy'n wag yn yr etholaeth honno o'r Senedd a enwir isod yn parhau i fod yn wag tan yr etholiad cyffredinol nesaf i'r etholaeth honno o'r Senedd.

Etholaeth Senedd:

Llofnod:
Swyddog canlyniadau

Dyddiad:

Form 24

Form of certificate: seat to remain vacant until next Senedd Cymru general election

Rule 75(1) and (15)(b) of Schedule 5

Senedd Cymru Election

Certification by the returning officer that by virtue of section 11(7) of the Government of Wales Act 2006 a vacancy in a Senedd constituency will remain vacant until the next Senedd Cymru general election.

I hereby certify that, in accordance with the provision of section 11(7) of the Government of Wales Act 2006, the seat which is vacant in the under-mentioned Senedd constituency will remain vacant until the next general election to the Senedd constituency.

Senedd constituency:

Signed:
Returning officer

Date:

Ffurf 25

Ffurffurflen: y treuliau yr aed iddynt i gefnogi ymgeisydd unigol

Erthygl 47(8)

Etholiad i Senedd Cymru

Etholiad yn etholaeth.

Dyddiad cyhoeddi'r hysbysiad etholiad:

Enw'r ymgeisydd unigol:

1. Swm y treuliau yr aed iddynt yn yr etholiad uchod i gefnogi'r ymgeisydd uchod gan.
. [rhowch enw'r person neu'r gymdeithas neu'r corff o bersonau a aeth i'r treuliau], sef treuliau y mae'n ofynnol gan erthygl 47 o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025 iddynt gael eu hawdurdodi'n ysgrifenedig gan yr ymgeisydd neu'r asiant etholiad, oedd £.
2. Mae'r awdurdod ysgrifenedig hwnnw* oddi wrth yr ymgeisydd neu'r asiant etholiad a enwyd uchod wedi ei atodi i'r ffurflen hon.

Llofnod:

Dyddiad:

** Yr awdurdod ysgrifenedig yw'r ddogfen sy'n darparu awdurdod yr ymgeisydd neu'r asiant etholiad ichi fynd i dreuliau mewn cysylltiad â'r ymgeisydd unigol fel sy'n ofynnol o dan erthygl 47.*

Form 25

Form of return: expenses incurred in support of an individual candidate

Article 47(8)

Senedd Cymru Election

Election in the.constituency

Date of publication of notice of election:

Name of individual candidate:

1. The expenses incurred at the above election in support of the above candidate by.
.[insert name of person or association or body of persons incurring the expenses],
being expenses required by article 47 of the Senedd Cymru (Representation of the People) Order
2025 to be authorised in writing by the candidate or the election agent, amounted to £
.
2. That written authority* of the candidate or election agent mentioned above is annexed to this
return.

Signature:

Date:

** The written authority is the document which provides the candidate's or election agent's authority for you
to incur expenses in respect of the individual candidate as required under article 47.*

Ffurff 26

Ffurff datganiad: y treuliau yr aed iddynt i gefnogi ymgeisydd unigol

Erthygl 47(8)

Etholiad i Senedd Cymru

Etholiad yn etholaeth.

Dyddiad cyhoeddi'r hysbysiad etholiad:

Yr wyf i drwy hyn yn datgan—

1. mai fi yw'r [rhowch enw]* (*neu yn achos cymdeithas neu gorff o bersonau*) y [cyfarwyddwr /rheolwr cyffredinol/ysgrifennydd/neu swyddog tebyg y gymdeithas neu'r corff o bersonau]* a enwyd fel y sawl a aeth i'r treuliau yn y ffurflen dreuliau gysylltiedig (*ffurf 25*) fel sy'n ofynnol gan erthygl 47 o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025 iddynt gael eu hawdurdodi'n ysgrifenedig gan ymgeisydd neu asiant etholiad.

*dileer fel y bo'n briodol

2. hyd eithaf fy ngwybodaeth a'm cred fod y ffurflen honno'n gyflawn ac yn gywir.
3. bod y treuliau yr aed iddynt, ac y cyfeirir atynt yn y ffurflen honno, yn ymwneud â'r materion canlynol:
.
.
.
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.
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.
.
.

Llofnod:

Swydd:
(*Yn achos cymdeithas neu gorff o bersonau*)

Dyddiad:

Form 26

Form of declaration: expenses incurred in support of an individual candidate

Article 47(8)

Senedd Cymru Election

Election in the.constituency

Date of publication of notice of election:

I hereby declare that—

1. I am [insert name]* (*or in the case of an association or a body of persons*) the [director/general manager/secretary/or similar officer of the association or body of persons]* named as incurring expenses in the accompanying return of expenses (*form 25*), as required by article 47 of the Senedd Cymru (Representation of the People) Order 2025 to be authorised in writing by a candidate or an election agent.

*delete as appropriate

2. To the best of my knowledge and belief that return is complete and correct.

3. The matters for which the expenses referred to in that return were incurred are as follows:
-
-
-
-
-
-
-
-
-

Signature:

Office held:
(*In the case of an association or body of persons*)

Date:

Ffurf 27

Ffurf datganiad gan asiant etholiad i ymgeisydd unigol ynghylch treuliau etholiad

Erthygl 55(1)

Etholiad i Senedd Cymru

Etholiad yn etholaeth.....

Dyddiad cyhoeddi'r hysbysiad etholiad:.....

Enw'r ymgeisydd unigol:.....

Datganiad gan asiant etholiad

Yr wyf i yn datgan yn ddifrifol ac yn ddiffuant fel a ganlyn:

1. Yr oeddwn yn yr etholiad hwn yn asiant etholiad i'r person a enwir uchod fel ymgeisydd unigol.
2. Yr wyf wedi edrych ar y ffurflen ynghylch treuliau etholiad sydd ar fin cael ei danfon gennyf at y swyddog canlyniadau, y mae copi ohoni ynghlwm a chanddo'r marc*, a hyd eithaf fy ngwybodaeth a'm cred y mae'n ffurflen gyflawn a chywir yn unol â gofynion y gyfraith.
3. Hyd eithaf fy ngwybodaeth a'm cred, mae'r holl dreuliau a ddangosir yn y ffurflen fel treuliau a dalwyd wedi eu talu gennyf fi [a/neu'r ymgeisydd]**, ac eithrio fel y nodir fel arall yn y ffurflen ynghylch treuliau etholiad.
4. Yr wyf yn deall nad yw'r gyfraith yn caniatáu talu unrhyw dreuliau etholiad sydd heb eu crybwyll yn y ffurflen hon, ac eithrio yn unol â gorchymyn llys.

* rhowch y marc adnabod neu'r cyfeirnod a ddarperir ar y ffurflen ynghylch treuliau etholiad. Os na ddarperir marc o'r fath, cewch ychwanegu cyfeirnod at y copi sydd ynghlwm o'r ffurflen ynghylch treuliau etholiad ac ychwanegu'r cyfeirnod hwnnw yma. Cewch ddewis unrhyw beth, megis cyfuniad o rifau neu lythrennau sy'n cyfeirio at yr etholiad neu'r ardal etholiadol.

**dileer fel y bo'n briodol

Nodyn 1: pan fydd asiant etholiad wedi newid, gellir cyflwyno amrywiadau addas yn y datganiad.

Nodyn 2: y ffurflen ynghylch treuliau etholiad yw'r ffurflen sy'n ofynnol gan Erthygl 54 o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Llofnod:.....

Dyddiad:.....

Form 27

Form of declaration by election agent of an individual candidate as to election expenses

Article 55(1)

Senedd Cymru Election

Election in theconstituency

Date of publication of notice of election:.....

Name of individual candidate:.....

Declaration of an election agent

I solemnly and sincerely declare as follows:

1. I was, at this election, the election agent of the person named above as an individual candidate.
2. I have examined the return of election expenses about to be delivered by me to the returning officer, a copy of which is attached marked as.....*, and to the best of my knowledge and belief it is a complete and correct return as required by law.
3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by me [and/or the candidate]**, except as otherwise stated in the return of election expenses.
4. I understand that the law does not allow any election expenses not mentioned in this return to be paid except in pursuance of a court order.

* insert the identification mark or reference provided on the return of election expenses. If no such mark is provided, you can add a reference onto the attached copy of the return of election expenses and add that reference here. You can choose anything, such as a combination of numbers or letters that reference the election or electoral area.

**delete as appropriate

Note 1: where there has been a change of election agent, suitable variations may be introduced into the declaration.

Note 2: the return of election expenses is the return required by Article 54 of the Senedd Cymru (Representation of the People) Order 2025.

Signature:.....

Date:.....

Ffurf 28

Ffurf datganiad gan ymgeisydd unigol ynghylch treuliau etholiad

Erthygl 55(2) a (5)

Etholiad i Senedd Cymru

Etholiad yn etholaeth

Dyddiad cyhoeddi'r hysbysiad etholiad:

Enw'r ymgeisydd unigol:

Datganiad gan ymgeisydd unigol

Yr wyf i yn datgan yn ddifrifol ac yn ddifffuant fel a ganlyn:

1. Fi yw'r person a enwir uchod fel ymgeisydd unigol yn yr etholiad hwn [ac yr oeddwn yn asiant etholiad i mi fy hun]*
2. Yr wyf wedi edrych ar y ffurflen dreuliau etholiad [sydd ar fin cael ei danfon]* [a ddanfonwyd]* [gan fy asiant etholiad]* [gennyf i]* at y swyddog canlyniadau, y mae copi ohoni ynghlwm a chanddo'r marc**, a hyd eithaf fy ngwybodaeth a'm cred y mae'n ffurflen gyflawn a chywir yn unol â gofynion y gyfraith.
3. Hyd eithaf fy ngwybodaeth a'm cred, mae'r holl dreuliau a ddangosir yn y ffurflen fel treuliau a dalwyd wedi eu talu [gan fy asiant etholiad]* [a/neu]* [gennyf fi]*, ac eithrio fel y nodir fel arall yn y ffurflen ynghylch treuliau etholiad.
4. Yr wyf yn deall nad yw'r gyfraith yn caniatáu talu unrhyw dreuliau etholiad sydd heb eu crybwyll yn y ffurflen hon, ac eithrio yn unol â gorchymyn llys.

*dileer fel y bo'n briodol

** rhowch y marc adnabod neu'r cyfeirnod a ddarperir ar y ffurflen ynghylch treuliau etholiad. Os na ddarperir marc o'r fath, cewch ychwanegu cyfeirnod at y copi sydd ynghlwm o'r ffurflen ynghylch treuliau etholiad ac ychwanegu'r cyfeirnod hwnnw yma. Cewch ddewis unrhyw beth, megis cyfuniad o rifau neu lythrennau sy'n cyfeirio at yr etholiad neu'r ardal etholiadol.

Nodyn 1: pan fydd asiant etholiad wedi newid, gellir cyflwyno amrywiadau addas yn y datganiad.

Nodyn 2: y ffurflen ynghylch treuliau etholiad yw'r ffurflen sy'n ofynnol gan Erthygl 54 o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025.

Llofnod:.....

Dyddiad:.....

Form 28

Form of declaration by individual candidate as to election expenses

Article 55(2) and (5)

Senedd Cymru Election

Election in theconstituency

Date of publication of notice of election:

Name of individual candidate:

Declaration of an individual candidate

I solemnly and sincerely declare as follows:

1. I am the person named above as an individual candidate at this election [and was my own election agent]*
2. I have examined the return of election expenses [about to be]* [delivered]* by [my election agent]* [by me]* to the returning officer, a copy of which is attached marked as.....**, and to the best of my knowledge and belief it is a complete and correct return as required by law.
3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by [my election agent]* [and/or]* [by me]*, except as otherwise stated in the return of election expenses.
4. I understand that the law does not allow any election expenses not mentioned in this return to be paid except in pursuance of a court order.

*delete as appropriate

** insert the identification mark or reference provided on the return of election expenses. If no such mark is provided, you can add a reference onto the attached copy of the return of election expenses and add that reference here. You can choose anything, such as a combination of numbers or letters that reference the election or electoral area.

Note 1: where there has been a change of election agent, suitable variations may be introduced into the declaration.

Note 2: the return of election expenses is the return required by Article 54 of the Senedd Cymru (Representation of the People) Order 2025.

Signature:.....

Date:.....

Ffurf 29

Ffurf datganiad gan ymgeiswyr rhestr plaid ynghylch treuliau personol

Erthygl 56(1)

Etholiad yn etholaeth:

Dyddiad cyhoeddi'r hysbysiad etholiad:

Enw'r blaid wleidyddol gofrestredig:

Enw llawn yr ymgeisydd:

Yr wyf i yn datgan yn ddifrifol ac yn ddiffuant fel a ganlyn:

1. Fi yw'r person a enwir uchod fel ymgeisydd rhestr plaid yn yr etholiad hwn.
2. Y cyfanswm a dalwyd gennyf mewn perthynas â threuliau personol yr euthum iddynt oherwydd yr etholiad hwn, neu mewn cysylltiad ag ef, neu o ganlyniad iddo, yn unol â darpariaethau erthygl 56 o Orchymyn Senedd Cymru (Cynrychiolaeth y Bobl) 2025, oedd £.....
3. Yr wyf yn deall nad yw'r gyfraith yn caniatáu talu unrhyw dreuliau etholiad sydd heb eu crybwyll yn y datganiad hwn, ac eithrio yn unol â gorchymyn llys.

Llofnod:.....

Dyddiad:.....

Form 29

Form of declaration by party list candidates as to personal expenses

Article 56(1)

Election in the constituency of:

Date of publication of the election notice:

Name of registered political party:

Full name of candidate:

I solemnly and sincerely declare as follows:

1. I am the person named above as a party list candidate at this election.
2. The total amount paid by me in relation to personal expenses incurred by me on account of, or in connection with, or incidental to, this election, as per the provisions of article 56 of the Senedd Cymru (Representation of the People) Order 2025, was £.....
3. I understand that the law does not allow any election expenses not mentioned in this declaration to be paid except in pursuance of a court order.

Signature:.....

Date:.....

SCHEDULE 11 Article 146

Consequential amendments

Senedd and Elections (Wales) Act 2020

1.—(1) The Senedd and Elections (Wales) Act 2020(1) is amended as follows.

(2) In section 24(2) (protection of information about persons aged under 16), in the definition of “absent voters record or list”—

- (a) in paragraph (a), for “article 8(3), 9(6) or 12(6) of the 2007 Order” substitute “article 6(4), 7(7) or 10(6) of the 2025 Order”;
- (b) in paragraph (b), for “article 10 or 12(8) of the 2007 Order” substitute “article 8 or 10(8) of the 2025 Order”.

(3) Omit section 27 (amendments to the National Assembly for Wales (Representation of the People) Order 2007).

(4) In section 41 (general interpretation)—

- (a) omit the definition of “the 2007 Order”;
- (b) at the appropriate place, insert—

““2025 Order” (“*Gorchymyn 2025*”) means the Senedd Cymru (Representation of the People) Order 2025 (S.I. 2025/XXX) (W. XX);”.

The Elections Act 2022

2.—(1) The Elections Act 2022(2) is amended as follows.

(2) In paragraph 3(3) of Schedule 11 (illegal practices)—

- (a) for “The National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236)” substitute “The Senedd Cymru (Representation of the People) Order 2025 (S.I. 2025/XXX) (W. XX)”;
- (b) for “article 76(12)” substitute “article 78(13)”.

The Representation of the People (England and Wales) Regulations 2001

3. For Part 8 of the Representation of the People (England and Wales) Regulations 2001(3) substitute—

(1) 2020 anaw 1.
(2) 2022 c. 37.

“PART 8

Access to documents after an election to Senedd Cymru

Interpretation of Part 8

121.—(1) In this Part—

“the 2025 Order” means the Senedd Cymru (Representation of the People) Order 2025;

“relevant Senedd election documents” means the documents relating to a Senedd election that the relevant registration officer is required to retain by rule 70 of Schedule 5 to the 2025 Order;

“Senedd Cymru” means the parliament for Wales established by section 1 of the Government of Wales Act 2006(1);

“Senedd election” means an election to Senedd Cymru under Part 1 of the Government of Wales Act 2006;

“the Senedd list of proxies” means the list kept under article 8(1)(b) and (3) of the 2025 Order;

“the Senedd postal voters list” means the list kept under article 8(1)(a) and (2) of the 2025 Order;

“the Senedd proxy postal voters list” means the list kept under article 10(8) of the 2025 Order.

(2) References in this Part to “the marked Senedd register or lists” are to any part of the marked copies of—

- (a) the full register;
- (b) the notices amending the full register issued under section 13B(3B) or (3D) of the 1983 Act(2);
- (c) the Senedd postal voters list;
- (d) the Senedd list of proxies;
- (e) the Senedd proxy postal voters list,

-
- (3) S.I. 2001/341. Part 8 was inserted by S.I. 2007/1368 and was subsequently amended by S.I. 2008/1901 and S.I. 2016/272.
- (1) 2006 c. 32. Section 1 was amended by sections 2 and 4 of, and paragraph 2 of Schedule 1 to, the Senedd and Elections (Wales) Act 2020 (anaw 1), and section 1 of the Senedd Cymru (Members and Elections) Act 2024 (asc 4).
- (2) 1983 c.2. Section 13B was substituted, together with sections 13 and 13A, by section 8 of, and paragraphs 1 and 6 of Schedule 1 to, the Representation of the People Act 2000 (c. 2), for section 13 as originally enacted. Subsections (3B) and (3D) were subsequently inserted by section 11 of the Electoral Administration Act 2006 (c. 22).

forwarded to the relevant registration officer under paragraph 30 of Schedule 2 or rule 67(2)(h) and (i) of Schedule 5 to the 2025 Order.

122. Subject to the modifications specified in regulations 123 to 126, Part 7 of these Regulations applies in respect of the marked Senedd register or lists and the other relevant Senedd election documents as it applies in respect of the marked register or lists and other documents open to inspection under that Part.

123. References in Part 7 to “the marked register or lists” are to be construed as references to the marked Senedd register or lists, and any like terms are to be similarly construed.

124. Regulation 116 applies as if—

- (a) paragraph (1) were omitted,
- (b) in paragraph (2), the reference to regulation 56 were a reference to paragraph 11 of Schedule 1 to the 2025 Order, and
- (c) in paragraph (4), the reference to a direction by the Secretary of State under section 52(1) of the 1983 Act includes a reference to a direction by the Welsh Ministers under section 52(1) of the 1983 Act⁽¹⁾.

125. Regulation 117 applies as if—

- (a) references to “a particular parliamentary or local government election” and to “a particular election” include reference to a particular Senedd election, and
- (b) the reference in paragraph (5) to regulation 61 were a reference to paragraph 18 of Schedule 1 to the 2025 Order.

126. Regulations 118 and 119 apply as if references to “documents open to public inspection” were a reference to—

- (a) the marked Senedd register or lists, and
- (b) the other relevant Senedd election documents except—
 - (i) ballot papers,

(1) The functions of the Secretary of State in section 52 of the Representation of the People Act 1983, insofar as they are exercisable within devolved competence, were transferred to the Welsh Ministers by article 45 of, and paragraph 1 of Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

- (ii) completed corresponding number lists,
 - (iii) certificates as to employment on the day of the election, and
 - (iv) the list required to be compiled under paragraph 26(4) of Schedule 2 to the 2025 Order,
- and any like terms are to be construed accordingly.”

Police and Crime Commissioner Elections Order 2012

4.—(1) The Police and Crime Commissioner Elections Order 2012⁽¹⁾ is amended as follows.

(2) In article 2(1) (interpretation)—

- (a) omit the definition of “the 2007 Order”;
- (b) at the appropriate place, insert—

““the 2025 Order” means the Senedd Cymru (Representation of the People) Order 2025;”.

(3) In article 2(2A), for “article 16A(1) of the 2007 Order” substitute “article 16(1) of the 2025 Order”.

(4) In article 13A (combination of polls: Senedd Cymru), for “article 16A of the 2007 Order” substitute “article 16 of the 2025 Order”.

(5) In paragraph 59(2A) of Schedule 2 (absent voting in PCC elections), for “article 16A of the 2007 Order” substitute “article 16 of the 2025 Order”.

(6) In paragraph 47(1)(a) of Schedule 4 (combination of polls), in the substituted sub-paragraph (2) of paragraph 13—

- (a) in paragraph (b), for “article 16A of the 2007 Order” substitute “article 16 of the 2025 Order”;
- (b) in paragraph (c), for “paragraph 2 of Schedule 4 to the 2007 Order (as it applies to combined polls by virtue of paragraph 1 of Schedule 4A to that Order)” substitute “paragraph 2 of Schedule 4 to the 2025 Order”.

(7) In paragraph 48 of Schedule 4, for “paragraph 2 of Schedule 3 to the 2007 Order”, in both places it occurs, substitute “paragraph 2 of Schedule 2 to the 2025 Order”.

⁽¹⁾ S.I. 2012/1917. Relevant provisions were inserted by S.I. 2016/300 and have been subsequently amended by S.I. 2022/1382 and S.I. 2023/1225.

Police and Crime Commissioner Elections (Functions of Returning Officers) Regulations 2012

5.—(1) The Police and Crime Commissioner Elections (Functions of Returning Officers) Regulations 2012⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) omit the definition of “the 2007 Order”;

(ii) at the appropriate place, insert—

““the 2025 Order” means the Senedd Cymru (Representation of the People) Order 2025;”;

(b) in paragraph (3)—

(i) for “article 16A of the 2007 Order” substitute “article 16 of the 2025 Order”;

(ii) for “an Assembly” substitute “a Senedd”.

(3) In regulation 2A—

(a) in the heading, for “Assembly” substitute “Senedd”;

(b) in paragraph (1), for “Assembly” substitute “Senedd”;

(c) in paragraph (2), for “an Assembly constituency by virtue of article 18 of the 2007 Order” substitute “a Senedd constituency by virtue of article 18 of the 2025 Order”.

SCHEDULE 12 Article 1(3)

Revocations

1. The National Assembly for Wales (Representation of the People) Order 2007⁽²⁾.

2. The Representation of the People (National Assembly for Wales) (Access to Election Documents) Regulations 2007⁽³⁾.

3. The National Assembly for Wales (Representation of the People) (Amendment) Order 2010⁽⁴⁾.

4. The National Assembly for Wales (Representation of the People) (Fresh Signatures for Absent Voters) Order 2013⁽⁵⁾.

(1) S.I. 2012/1918. Relevant provisions were inserted by S.I. 2016/300.

(2) S.I. 2007/236.

(3) S.I. 2007/1368.

(4) S.I. 2010/2931.

(5) S.I. 2013/1514.

5. The National Assembly for Wales (Representation of the People) (Amendment) Order 2016**(1)**.

6. The National Assembly for Wales (Representation of the People) (Amendment) (No. 2) Order 2016**(2)**.

7. The National Assembly for Wales (Returning Officers' Charges) (Amendment) Order 2017**(3)**.

8. The Senedd Cymru (Representation of the People) (Amendment) Order 2020**(4)**.

9. The Candidate Election Expenses (Senedd Elections) Code of Practice 2021 (Appointed Day) Order 2021**(5)**.

10. The Senedd Cymru (Returning Officers' Charges) Order 2021**(6)**.

11. The Senedd Cymru (Returning Officers' Accounts) Regulations 2021.

12. The Senedd Cymru (Representation of the People) (Amendment) Order 2021**(7)**.

(1) S.I. 2016/272.

(2) S.I. 2016/292.

(3) S.I. 2017/1106 (W. 280).

(4) S.I. 2020/1558 (W. 329).

(5) S.I. 2021/264 (W. 70).

(6) S.I. 2021/315 (W. 80).

(7) S.I. 2021/335 (W. 90).